



# Northumberland

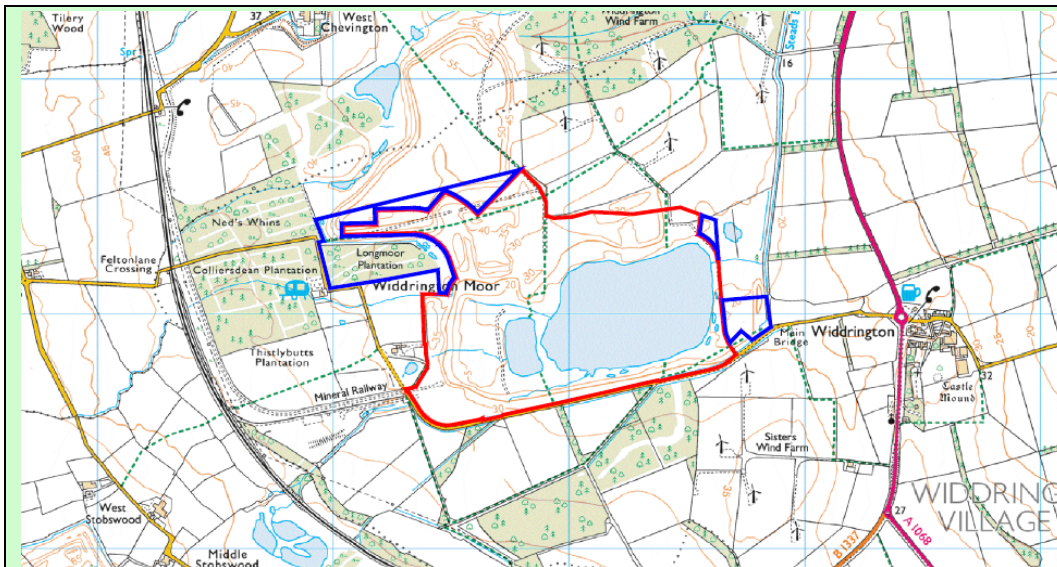
## County Council

### STRATEGIC PLANNING COMMITTEE

#### 4 DECEMBER 2018

<b>Application No:</b>	17/04330/FUL		
<b>Proposal:</b>	Hybrid planning application comprising: Full planning permission for a holiday park comprising the installation of up to 275 hard standing bases for static caravans; 200 all weather pitches for touring units and tents associated car parking and toilet/shower block, main reception and amenity building, outdoor play area, workshop; internal access roads; footpaths; landscaping; water based leisure uses. Outline planning permission for a further 475 hard standing bases for holiday homes, landscaping and cafe, with all matters reserved.		
<b>Site Address</b>	Land East Of Widdrington Moor, Widdrington, Northumberland		
<b>Applicant:</b>	Mr Andrew Warnes	<b>Agent:</b>	Mrs Frances Wilkinson Partnership House, Regent Farm Road, Gosforth, Newcastle upon Tyne NE3 3AF
<b>Ward</b>	Druridge Bay	<b>Parish</b>	Widdrington Village
<b>Valid Date:</b>	30 November 2017	<b>Expiry Date:</b>	31 December 2018
<b>Case Officer Details:</b>	Name: Mr Geoff Horsman Job Title: Senior Planning Officer Tel No: 01670 625553 Email: <a href="mailto:geoff.horsman@northumberland.gov.uk">geoff.horsman@northumberland.gov.uk</a>		

**Recommendation:** That the committee be minded to grant planning permission



## **1. Introduction**

- 1.1 This application is being referred to Strategic Planning Committee because it is a major development of significant scale.

## **2. Description of the Application Site & Proposal**

- 2.1 The application site covers an area of 103.6 hectares and lies in open countryside around 0.8 kilometres to the north west of Widdrington Village. The site was formerly part of the larger Steadsburn opencast coal mining site. Mining on the site ceased in 2011 and between the cessation of mining operations in 2011 and 2014 the site has been partially restored to low quality agricultural land with 3 man-made lakes/water bodies and water courses originating outside of the site which feed into these.
- 2.2 Access to the application site is from the C115 road which forms the site's southern boundary.
- 2.3 Levels within the site rise gently from south east to north west from 15m AOD to a high point of 35m AOD.
- 2.4 In terms of neighbouring uses, the site is surrounded on all sides by open countryside including areas of woodland to the north, south and west. The Steadsburn Wind Farm also lies to the north of the site. As stated above, Widdrington Village lies to the south east around 0.8km distant with the A1068 road also lying to the east at a distance of at least 0.65km. To the immediate west are four dwellings and two small caravan parks with the two of the dwellings associated with the said caravan parks. One of these dwellings and its related caravan park - Lawvale – are separated from the application site by Longmoor Plantation woodland. The other 3 dwellings – Junction/Old Junction Cottages and Honeysuckle Cottage and the remaining small caravan park lie immediately adjacent to the application site further to the south.
- 2.5 A number of public rights of way formerly crossed the site prior to the commencement of opencast mining operations. These have not as yet been reinstated or replaced.
- 2.6 There are no landscape or ecology designations covering the site and the site does not lie within the Green Belt.
- 2.7 There are however a number of ecological designations along the coast, approximately 2.8 to 5.5km from the site, including the Northumbria Coast SPA, the Northumberland Marine SPA, the Northumbria Coast Ramsar Site, the Northumberland Shore SSSI, Cresswell Ponds SSSI, Cresswell and Newbiggin Shores SSSI, Hadston Links SSSI, Coquet Island to St Mary's MCZ, and a number of locally designated sites.
- 2.8 The nearest listed buildings to the Site are West Chevington Farmhouse (grade II) approximately 850m to the north of the site boundary, the Church of the Holy Trinity at Widdrington (grade I) approximately 1.7km to the east (including grade II listed headstones and tombs) and the grade II Listed War Memorial at Widdrington. The nearest Scheduled Ancient Monuments (SAM) are Widdrington Castle,

approximately 1.7km to the south east and Low Chibburn medieval preceptory, 16th century house and WWII pillbox approximately 2km to the east.

- 2.9 Planning permission is sought for holiday park/leisure related activity on the site. The application is a hybrid submission which seeks full planning permission in respect of phase 1 and outline planning permission with all matters reserved in respect of a phase 2.
- 2.10 The proposed phase 1 works comprise the creation of a holiday park with up to 275 static caravan pitches, 200 all weather pitches for tourers/tents, a two storey main reception/amenity building, a toilet/shower block within the tourer/tents area, a workshop building, 475 car parking spaces, outdoor play provision including a play area and lakeside beach, water based leisure activities and associated roads, footpaths and landscaping. The proposed buildings would have a total floorspace of 15,751 square metres.
- 2.11 The two storey main reception/amenity building would incorporate a swimming pool, sauna, indoor play space, catering facilities, reception/office accommodation, beauty treatments floorspace, laundry area and a small shop.
- 2.12 The phase 2 works would comprise a further 475 bases for holiday homes, areas of landscaping and a lakeside café with the holiday homes being accommodated within a proposed woodland setting. The applicant as originally submitted included a 9 hole golf course in this phase but this has now been removed from the scheme and it is proposed that a mix of meadow grassland and woodland to further enhance biodiversity will now be provided in that part of the site formerly occupied by the proposed golf course.
- 2.13 It is envisaged that the proposed development would generate 100 full-time and 30 part-time jobs.
- 2.14 The applicant also advises that the various leisure facilities proposed would be available also for the use of non-residents.

### **3. Planning History**

- 3.1 The application site has a long and complex history. Planning permission for the extraction of 1.09 million tonnes of coal from the Steadsburn site was granted planning permission in 2007 (application ref 05/0200/CCMEIA). A further application to vary conditions restricting hours of working at the site was approved in 2008 (application ref 08/00005/CCM).
- 3.2 In 2009 an application was submitted to vary the restoration and aftercare strategy (application ref 09/00123/CCM). The main change proposed was a reduction in the amount of land given over to agricultural fields and woodland and the creation of a large lake instead. This application also sought to extend the time period for the submission of a detailed site restoration strategy for the Steadsburn surface coal mine and an extension of time for when the Maidens Hall surface coal mine, immediately to the north, should be restored by. The application was withdrawn prior to the issuing of the decision notice.

- 3.3 A further restoration strategy for the Steadsburn site was submitted in 2010 (application ref 10/00243/CCM). The Council's planning committee resolved to grant planning permission but the decision notice and associated legal agreements were not completed and the application was eventually withdrawn.
- 3.4 An application to discharge the restoration conditions was submitted in 2013 and approved in 2014 (application ref 13/00084/DISCON).

#### 4. Consultee Responses

Tritlington & West Chevington Parish Council	No response received.
Widdrington Village Parish Council	Supports the development in principle but with reservations/concerns regarding traffic impacts, reinstatement of public footpaths, geotechnical risks, visitor demographics and the need for more extensive consultation with local residents.
Widdrington Station Stobswood PC	No response received.
Ellington And Linton Parish Council	No response received.
East Chevington Parish Council	No response received.
Countryside/ Rights Of Way	No objections subject to existing rights of way across the site being stopped up/diverted prior to the substantial completion of development in phase 1 and compensatory public right of way provision being secured through conditions and a Section 106 Agreement including the provision of a new bridleway at the east end of the site with existing off-site footpaths to the north of this being upgraded to bridleway status to connect with proposed bridleways on the approved opencast restoration plan and the diversion of existing footpaths at the northern edge of the site and in its south east corner.
Building Conservation	No objections.
County Archaeologist	No response received.
County Ecologist	No objection subject to conditions and a contribution of £271,200 to the Ecology Coastal Mitigation Fund and off-site bird habitat mitigation works to be secured as part of the Section 106 Agreement.
SE Tree And Woodland Officer	No existing trees of significance affected by the proposed development. More new tree planting around lake suggested.
Public Protection	No objections subject to conditions.
Coal Authority	No objections subject to conditions.
Environment Agency	No objection subject to a condition regarding invasive species and several informatives.
Natural England	No objection subject to appropriate ecological mitigation being secured on and off site as required by the Council's ecologist.

LLFA	No objections subject to conditions.
Highways England	No objections subject to conditions.
RSPB	Object to the application on the grounds of insufficient assessment of the potential for the development to affect nearby designated sites.
Northumbrian Water	No objections subject to condition.
Fire Service	No objection.
Historic England	No objection.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	74
Number of Objections	0
Number of Support	0
Number of General Comments	0

### Notices

Site notice - Departure & PROW 19th December 2017

Morpeth Herald 14th December 2017

### Summary of Responses:

Objections have been received from 10 individuals, 8 of whom live in Widdrington Village. Concerns are as follows:

- Increased traffic too much for local roads
- Light pollution
- Pedestrian safety issues due to no lighting or footways on the road to the site and increased traffic.
- Noise pollution including noise from water based leisure activities.
- Impact on ecology and wildlife
- Job claims are over inflated
- New jobs created will be poor quality jobs (e.g. part-time, seasonal, low paid)
- No evidence to support figures presented by applicant that there would be significant spend in the local economy from visitors.
- No need for golf course.
- Air pollution
- Applicant does not have a good track record in providing public access to facilities on their sites.
- Harm to residential amenity from shuttle buses.
- Harm to character of the historic Widdrington Village and its surroundings with the proposed caravan park swamping the village.
- Inadequate mitigation for loss of public rights of way within site.

- Loss of what would have been public open space within the site under the open cast restoration plan.
- Construction nuisance.
- Errors and inadequacies in public consultation on the application.
- Lack of refuse policy.
- Adverse impact on landscape character.
- Already sufficient holiday park provision in the area.
- Castle Morpeth District Plan Policy E12 not correctly interpreted and no reference made to a part of the Policy that refers to the expansion of existing sites.

## 6. Planning Policy

### 6.1 Development Plan Policy

Castle Morpeth District Local Plan (CMDLP)

RE4 – Water quality  
 RE5 – Surface water run-off and flood defences  
 RE8 – Contaminated land  
 RE9 – Ground stability  
 C1 – Settlement boundaries  
 C9 – Sites of nature conservation importance  
 C11 – Protected species  
 C15 – Trees in the countryside and urban areas  
 E12 – Caravans and camping sites  
 T5 – Public transport services  
 R8 – Public footpaths and bridleways  
 WDC1 – Widdrington settlement boundary

### 6.2 National Planning Policy

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

### 6.3 Other Relevant Planning Documents

Northumberland Landscape Character Assessment

## 7. Appraisal

7.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that:

*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*

Therefore the starting point from a planning perspective in considering the acceptability or otherwise of the proposals is the development plan.

- 7.2 The development plan in respect of the application site comprises the saved Policies of the Castle Morpeth District Local Plan 2003.
- 7.3 However, the NPPF advises at paragraph 213 that, in respect of Development Plans adopted prior to publication of the NPPF, local planning authorities (LPAs) should afford due weight to relevant Policies according to their degree of consistency with the NPPF (the closer the Policies in the Plan to the policies in the NPPF, the greater the weight that may be given).
- 7.4 Paragraph 11 of the NPPF provides definitive guidance on how applications should be determined by stating:

*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

*approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 7.5 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 further advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.
- 7.6 The main issues for consideration in respect of this application comprise:
- Principle of development
  - Impact on the character and appearance of the area
  - Residential amenity impact
  - Land contamination & stability
  - Highway safety/transportation
  - Flooding and drainage
  - Ecology
  - Public rights of way
  - Planning obligations

### **Principle of Development**

- 7.7 Policy C1 of the CMDLP states that settlement boundaries will be defined around towns and villages within the former district. The Policy states that development in the open countryside beyond settlement boundaries will not

be permitted unless the proposals can be justified as essential to the needs of agriculture or forestry or are permitted by other specified Policies in the Plan. Policy WDC1 defines the detailed settlement boundary for Widdrington Village. The application site lies outside of the settlement boundary. However, one of the other specified Policies referred to under Policy C1 where development outside of settlement boundaries may be justified is Policy E12 which relates to caravans and camping sites.

7.8 Policy E12 states that proposals for caravan and camping sites outside of the Green Belt will be permitted where all of the following criteria apply:

- i) There should be no detrimental effect on the character and appearance of the countryside, particularly in areas of high landscape value;
- ii) There would be no adverse impact on a significant area of best and most versatile agricultural land or on farm structure;
- iii) There would be no adverse impact on the local community and where associated with a settlement, the proposal should be well related to its character in terms of scale and siting;
- iv) Any additional traffic generated by the proposal should be capable of being accommodated on the existing road network; and
- v) There should be no adverse impacts on sites of heritage or nature conservation value.

7.9 Sections later in this report regarding impact on the character and appearance of the area, residential amenity impact and highway safety/transportation demonstrate that criteria i), iii) and iv) above would be satisfied by the proposals subject to conditions. The proposals are likewise considered acceptable in respect of criterion ii) because although the land within the site is agricultural land it is of low quality as it comprises a landscape restored from the previous opencast coal mining use. In terms of criterion v) the Council's Building Conservation Officer raises no objection in terms of impact on heritage assets in the surrounding locality, whilst the Council's ecologist and Natural England raise no objections regarding impact on nature conservation assets subject to conditions and a contribution to the Council's ecology coastal mitigation service to be secured through the Section 106 Agreement.

7.10 The recently updated NPPF likewise does not preclude development such as that proposed in open countryside locations. NPPF paragraph 83 states that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.

7.11 Paragraph 84 further states that planning decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.

7.12 Overall NPPF paragraph 80 also advises that significant weight should be placed on the need to support economic growth and productivity taking into



account local business needs and wider opportunities for development should allow each area to build on its strengths.

- 7.13 Tourism is a key sector of the Northumberland economy and the applicant advises that the proposals would create 100 full-time and 30 part-time jobs, generate an additional 143,000 overnight visits per annum within the County and inject a further £7-8 million per annum of visitor spending in the local economy. Notwithstanding the comments of objectors regarding these figures, it is considered that a development of this scale would bring significant benefits to the local economy in terms of job creation and visitor spending.
- 7.14 A further consideration in respect of the acceptability in principle of the proposed development relates to the two storey main reception/amenity building which comprises part of the proposals. As stated above, this building would accommodate a swimming pool, sauna, indoor play space, catering facilities, reception/office accommodation, beauty treatments floorspace, laundry area and a small shop. A cafe is also proposed within the outline planning permission area.
- 7.15 The swimming pool, sauna, indoor play space, catering facilities, beauty treatments floorspace and small shop would constitute main town centre uses for the purposes of the NPPF and therefore need to be assessed against that part of the NPPF relating to such uses.
- 7.16 In this regard, it is apparent that these uses would serve primarily residents/users of the proposed holiday park of which they form a part and it is considered that the provision of such facilities of the scale proposed is reasonably to be expected for a holiday park of the size proposed. These facilities would not be extensively used by the general public from the surrounding area. Given the above, it is considered that the sequential and impact assessment tests outlined in NPPF paragraphs 86 and 89 would be satisfied subject to a condition that these facilities would be used primarily by residents/users of the proposed holiday park.
- 7.17 Overall it is considered that a holiday park in this open countryside location would be acceptable in principle and in accordance with the NPPF's presumption in favour of sustainable development subject to detailed matters as covered later in this report being satisfactorily addressed.
- 7.18 In this regard, whether the presumption in favour of sustainable development is successful is dependent on an assessment of whether the proposed development of the site would be sustainable overall in terms of its economic, social and environmental roles. Consideration also needs to be given as to whether or not there are any restrictive NPPF policies that would override the presumption in favour of sustainable development and in themselves justify a refusal of planning permission. The following sections assess the key issues in relation to the economic, social and environmental roles of the scheme - identifying its potential benefits and adverse impacts in planning terms. The concluding section of this report then seeks to pull everything together by undertaking a balancing exercise to arrive at a recommendation as to whether or not the proposed development should be supported.

## **Impact on Character and Appearance of the Area**

- 7.19 In assessing impact on the character and appearance of the area the starting point is CMDLP Policy E12. One of the criterion of this Policy which needs to be satisfied is that the proposals should not have a detrimental effect on the character and appearance of the countryside, particularly in areas of High Landscape Value.
- 7.20 The application site does not occupy or lie adjacent to an Area of High Landscape Value (AHLV) as defined on the CMDLP Proposals Map with the nearest AHLV designations lying some distance to the east beyond the village of Widdrington within the area of Druridge Bay and to the west beyond the east coast main railway line within the Eshott area.
- 7.21 In terms of landscape matters in particular NPPF paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by, inter alia, protecting and enhancing valued landscapes and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.
- 7.22 In respect of the built environment, the NPPF, recognises that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people. Paragraph 124 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. Paragraph 127 states proposals should add to the overall quality of an area in both the short and long term, be visually attractive, be sympathetic to local character, create a strong sense of place, provide for a mix of uses and provide for safe, inclusive and accessible environments. Paragraph 130 reinforces this message by stating that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 7.23 In terms of national landscape classification, the application site itself lies within the South East Northumberland Coastal Plain National Character Area (NCA). A more localised landscape classification is provided by the Northumberland Landscape Character Assessment and this places the site within the Coalfield Farmland Landscape Character Type (LCT 39).
- 7.24 Key landscape characteristics of the above NCA and LCT are large scale fieldscapes, woodland/wetland areas and significant urban fringe/development influences including coal mining legacy influence on the landscape.
- 7.25 The Northumberland Landscape Character Assessment also identifies Landscape Character Areas (LCAs) within each LCT and the application site lies within area 39a – Coastal Coalfields. This LCA is described as relatively flat coastal plain which has been heavily modified by mining and industrial activity. Restoration has generally resulted in oversimplified geometric landscapes of pasture and conifer blocks, which lack distinctive features. Opencast mining operations are ongoing at a small number of large sites. Despite general heavy modification of this landscape, there are pockets of

unaltered rural character, including fragments of ancient woodland, and many of the older village centres, such as Ulgham, feature attractive honey coloured sandstone buildings. There are nature reserves at Druridge Bay and Hauxley. A golf course is situated within the estate of Longhirst Hall near Pegswood.

- 7.26 In terms of LCT39 the Northumberland Landscape Character Assessment vision statement in terms of future management of this landscape advises that in general, it could be argued that the most significant changes to this landscape have already occurred, in the form of extensive mining activity and urbanisation. Where key qualities remain intact, their long-term viability should be secured. The approach for this landscape is therefore one of restoration where possible, and recreation where the landscape has been overly damaged.
- 7.27 With regard to development guidelines reference is made to the redevelopment of major industrial sites and it is stated that restoration proposals which aim to achieve a wide range of habitats and offer opportunities for biodiversity and recreation, are likely to be the most successful in restoring this landscape.
- 7.28 Also of relevance in assessing landscape value is the Northumberland Key Land Use Impact Study which sought to assess the value of the various LCA's against a number of landscape criteria. The study places the LCA's into 4 broad categories of landscape quality with those landscapes of highest value scoring above 30. Upper and lower middle ranking landscapes are then categorised, having scores of 26-30 and 21-25 respectively. The lowest quality landscapes are categorised as those scoring 20 or less.
- 7.29 LCA 39a within which the application site lies has a landscape value score of 19 – i.e. it is generally a low quality landscape.
- 7.30 The Key Land Use Study, Part C Sensitivity Assessment also states in respect of LCA 39a that the open, simplified character of this area would allow suitably designed large scale development to fit into the landscape. There is greater scope for measures such as screening to be effective due to the lack of key views. A focus for mitigation measures will be site restoration proposals which should aim to strengthen local landscape character and replace elements that have been lost.
- 7.31 Bearing in mind all of the above, the landscape within the application site is not considered to be of high quality and it is considered that the site has the potential to accommodate large scale development subject to this being appropriately designed. In this regard it is to be noted that there is already large scale development in the form of two wind farms with their associated turbines within the landscape to the north and south of the application site.
- 7.32 The masterplan drawing that accompanies the application provides a detailed layout in respect of the phase 1 area for which full planning permission is sought and broad parameters concerning the phase 2 area for outline permission only is sought.

- 7.33 In terms of the phase 1 area, the visual impact of the large 2 storey main reception/amenity building is minimised through it being built into the natural gradients of the site and new planting is proposed to the north and south of the building to further soften its visual impact on the landscape including in terms of views from the public highway to the south as the site is approached from Widdrington Village.
- 7.34 Elsewhere within the phase 1 area, the static and touring caravan areas are each broken up with areas of tree planting, whilst the remaining buildings and car parking areas are well screened with further new planting. New tree planting is also proposed to screen the static caravan area from neighbouring properties to the immediate west.
- 7.35 With regard to longer range views, the proposed development would be visible from the A1068 and Widdrington Village to the east but at a considerable distance of at least 630 metres with the main reception/amenity building being around 1700 metres from the A1068 and the main bulk of Widdrington Village with the nearest properties at the very southern end of the village coming within around 1630 metres of the main reception/amenity building. Furthermore views from the A1068 would be filtered by areas of hedge and tree planting between the A1068 and the site. Longer range views from Red Row to the north, Widdrington Station/Stobswood to the south and the East Coast main railway line to the west would be largely screened by areas of woodland within the wider landscape.
- 7.36 The design of the main reception/amenity building would provide a strong sense of place for those entering the holiday park through its distinctive castellated design utilising traditional stone facing materials. The elevation of this building facing towards the main lake would likewise present a distinctive contemporary appearance through the use of white render and glazing which would also assist in reducing the buildings visual impact in the landscape in terms of long range views from the A1068 to the east.
- 7.37 The design of the toilet/shower block and workshop buildings would be of a more utilitarian appearance but these are much smaller in scale than the main reception/amenity building and would be largely screened in terms of views into the site from the public highway to the south and east by proposed screen planting.
- 7.38 Full details of external lighting have not been provided but the submitted Design & Access Statement confirms that the holiday park's external lighting scheme will be sensitively designed to reflect the site's open countryside location. It is considered that the details of external lighting could be addressed by a condition.
- 7.39 Detailed planting plans in respect of the phase 1 area, which accord with the landscape principles as shown on the submitted master plan could also be conditioned.
- 7.40 Very limited detail is provided regarding the detailed design of the phase 2 area in respect of which outline planning permission only is sought at this stage. However, it is considered in landscape terms that the scale and nature

of development proposed for this phase, the majority of which it is envisaged would be accommodated within a proposed woodland setting, would in principle be acceptable subject to appropriate detailed design that would be secured at Reserved Matters stage.

- 7.41 The Council's Conservation Officer raises no objection in terms of impact on heritage assets in either Widdrington Village or the wider local area.
- 7.42 Bearing in mind the above, overall it is considered that the proposals would be acceptable in terms of their appearance and impact on the character of the area the proposals would therefore be in accordance with the Castle Morpeth District Local Plan, the NPPF and the Northumberland Landscape Character Assessment subject to various conditions.

### **Residential Amenity Impact**

- 7.43 Policy E12 of the CMDLP states that proposals for new caravan and camping sites should have no adverse impact on the local community.
- 7.44 The only residential properties immediately adjacent to the site comprise Junction/Old Junction Cottages and Honeysuckle Cottage with its related small caravan site. These lie to the west of the proposed phase 1 static caravan area. A separation distance of 30 metres is provided for between the nearest of the proposed static caravan pitches and the application site boundary with the small caravan site associated with Honeysuckle Cottage. Additional screen planting is also proposed on this boundary. Overall it is considered that an acceptable relationship is provided for between the proposed development and these neighbouring properties.
- 7.45 The next nearest neighbouring property is Lawvale with its associated small caravan site which lies on the other side of Longmoor Plantation woodland from the proposed phase 2 area. Overall, it is considered the existing woodland provides a substantial barrier between this nearby property and the application site.
- 7.46 The nearest settlement to the site as stated earlier is Widdrington Village which lies around 0.8km to the south east. As such it is not considered that significant harm would be caused to the amenities of residents within the village in terms of loss of daylight/sunlight or visual intrusion given the substantial separation between the proposed development and the village.
- 7.47 The Council's Public Protection officer has raised no concerns in respect of noise, air or light pollution associated with the development once operational and therefore the proposals are considered acceptable in this regard in terms of residential amenity impact.
- 7.48 Concerns regarding nuisance during construction works could be addressed by means of a condition regarding construction management.
- 7.49 Overall the proposals are considered acceptable in terms of residential amenity impact subject to conditions.

## **Land Contamination and Stability**

- 7.50 Policy RE8 of the CMDLP states that the Council will require proposals for the development of all land identified as being, or potentially being contaminated by previous developments or mineral workings to be accompanied by a statement of site investigation outlining the tests undertaken and the evaluation of results, in order that the Council may assess any direct threat to health, safety or the environment.
- 7.51 Policy RE9 states that the Council will require proposals for development which is 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.
- 7.52 The vast majority of the application site lies within a Coal Authority Development High Risk area. Given the above a Coal Mining Risk Assessment report was provided with the application. This has been examined by the Coal Authority who raise no objections subject to a condition in respect of the phase 2 outline element of the scheme regarding intrusive site investigation of the highwall area of the former opencast works and the subsequent definition of suitable 'no build zones' in respect of this area. NCC Public Protection raise no objections concerning contaminated or unstable land subject to conditions regarding gas protection measures in respect of service ducts and permanent buildings, the provision of voids beneath caravans and site investigation/remediation/verification work in respect of ground contamination prior to the commencement of development with a watching brief concerning such matters during construction works also.
- 7.53 Overall, therefore the proposals are considered acceptable in terms of land contamination and stability subject to conditions.

## **Highway Safety/transportation**

- 7.54 CMDLP Policy E12 relating to new caravan and camping parks states that one of the criterion to be satisfied is that any additional traffic generated by the proposal should be capable of being accommodated on the existing road network.
- 7.55 Policy T5 states that in considering proposals for development regard will be had to existing public transport facilities and the possibility of their extension to serve new developments.
- 7.56 NPPF paragraph 109 advises that development should only be prevented or refused on transport grounds where there would be an unacceptable impact on highway safety or residual cumulative impacts arising from development on the road network would be severe.
- 7.57 The application is accompanied by a Transport Statement. The document appraises the impact of the proposed development and includes an assessment of matters such as the accessibility of the development; trip generation; highway safety; and highways works necessary to facilitate the development. Further update of this document from that originally submitted

has been undertaken by the applicant in response to issues raised by the Council as Local Highway Authority.

- 7.58 Given the location of the main entrance to the proposed holiday park off the minor C115 road there is currently no public transport service which passes that main entrance. However, as stated earlier the site is within 0.8km of Widdrington Village which is on the X18 and X20 bus routes which in combination provide a half hourly service Monday to Saturday to Newcastle, Amble and Alnwick, with the X18 also providing an hourly service to Morpeth and the above-mentioned destinations 7 days a week. Further to south is Widdrington Station. From here the No.1 route also provides a service to Ashington and Blyth which is hourly Monday to Saturday and every 2 hours on a Sunday. Train services from Widdrington Station are much more limited but there is a single daily commuter service to/from Newcastle. To provide a connection between the proposed holiday park and these services the applicant has agreed to provide a shuttle bus service.
- 7.59 In light of the updated Transport Statement the Local Highway Authority now advise that they consider the proposed development to be acceptable subject to various conditions.
- 7.60 The suggested conditions include a condition requiring the completion of various off-site highway works in accordance with details to be agreed. These works would comprise the two site accesses from the C115 (main and service), road signage and improvements to the nearest bus stops in Widdrington Village. Provision of the shuttle bus service and a full travel plan would also be secured by conditions.
- 7.61 Further detailed highways conditions are suggested relating to various detailed matters, namely external surfacing materials, car and cycle parking, electric vehicle charging points, a construction method statement, refuse storage facilities/arrangements, a delivery/servicing strategy to minimise the likelihood of conflicts between HGV's delivering static caravans to the site and other site traffic, and a prohibition on gates/barriers within 20 metres of the public highway at the site access points.
- 7.62 Highways England, who are responsible for the A1 to the west of the site, have advised that they have no objections subject to conditions regarding a construction management plan and travel plan.
- 7.63 Overall, the proposals are considered acceptable in terms of highway safety/transportation subject to conditions.

### **Drainage and Flooding**

- 7.64 CMDLP Policy RE6 states that the Council will consider the implications of granting planning permission for new developments as they affect land drainage, water supply and sewerage. Where development is likely to require the improvement or provision of additional services, consideration will be given to the need to impose planning conditions or seek legal agreements as appropriate.

- 7.65 Paragraph 163 of the NPPF advises that development should be directed towards areas at lowest risk from flooding and that Local Planning Authorities should ensure that development does not increase flood risk elsewhere. The site lies within Flood Zone 1 and in order to address flood risk given the size of the site, the applicant has submitted a Flood Risk Assessment (FRA). Paragraph 165 also requires where possible the use of sustainable drainage in respect of major developments.
- 7.66 As stated above there are 3 man-made lakes/water bodies within the site with watercourses originating outside of the site feeding into these. The applicant has provided an updated drainage strategy to address initial queries raised by consultees. This strategy utilises the above-mentioned existing water bodies as well as providing additional sustainable drainage in the form of detention basins and pipes/swales to manage surface water within the site.
- 7.67 After reviewing the latest submitted information the Council's Lead Local Flood Authority (LLFA) team and Northumbrian Water raise no objections subject to conditions to secure implementation of the submitted drainage strategy including the provision of sustainable drainage features and appropriate foul drainage arrangements.
- 7.68 Overall subject to conditions, it is considered that the proposal is acceptable in relation to surface water drainage, flood risk and foul sewage, in accordance with the CMDLP and the NPPF.

### **Ecology**

- 7.69 Policies C9 and C10 of the CMDLP state that the Council will not permit development which would affect the integrity of sites of local conservation interest or Local Nature Reserves unless it can be demonstrated that the benefits from the proposed development outweigh the need to safeguard the intrinsic nature conservation value of the site.
- 7.70 Policy C11 further states that the Council will not permit development which would adversely affect protected species or their habitats unless it can be demonstrated that the reasons for the proposed development outweigh any adverse effect on the species or their habitat.
- 7.71 Paragraph 175 of the NPPF seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken.
- 7.72 Paragraph 177 states that the presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered, planned or determined.
- 7.73 In terms of on-site ecology matters, following assessment of the proposals the Council's ecologist requested that further survey work be undertaken in respect of Great Crested Newts, breeding and wintering birds and bats. A more detailed assessment of habitat within the site was also requested together with details of biodiversity enhancement proposals which would



deliver comparable benefits to the previously approved restoration scheme for the site which has not been completed to date.

- 7.74 This additional survey work has now been undertaken and the applicant has also provided further detail regarding ecology mitigation measures and proposals in respect of biodiversity enhancement. These include the retention and protection of Longmoor Plantation Woodland adjacent to the north west corner of the site, a biodiversity zone at the eastern end of the main lake including wetland habitat enhancement measures in this area, biodiversity enhancement/management proposals across the site as whole in respect of wetland, woodland/trees, hedgerows, bat/bird nesting features, sustainable drainage, log piles/hibernacula and invasive species and implementation of an ecology method statement to minimise disturbance to wildlife that currently use the site. Off-site enhancement works are also proposed to Maiden's Hall Lake 2km north of the application site to provide alternative habitat to mitigate impact during construction works for birds that currently use water bodies within the application site. These off-site works would need to be secured by means of a planning obligation as they would be on land outwith the applicant's ownership.
- 7.75 With regard to off-site impacts from recreational disturbance to bird species within the internationally designated coastal zone areas to the east, discussions have taken place between the applicant and the Council's ecologist regarding a financial contribution to the Council's proposed coastal mitigation service for these areas. Agreement has now been reached on a contribution of £271,200 that would be paid by the applicant on a phased basis and secured by means of a Section 106 Agreement. The £271,200 figure is based on £300 per static unit pitch (750 of these are proposed across the two phases of development, 275 in phase 1 and 475 in phase 2) and £231 per touring unit pitch (200 of these are proposed in phase 1).
- 7.76 As such it is considered that satisfactory off-site mitigation has been provided for in respect of the internationally designated coastal zone impacts to satisfy the requirements of the Council's ecologist and Natural England.
- 7.77 Overall, The Council's Ecologist and Natural England now considered that the proposals are acceptable on ecology grounds subject to appropriate conditions as requested by them and the ecology coastal mitigation contribution being secured.

### **Public rights of way**

- 7.78 CMDLP Policy R8 states that the Council will support the protection, maintenance and where appropriate extension of the rights of way network and other recreational access routes throughout the Borough. Positive steps will also be taken to minimise any adverse effects of increased access pressures on established rural interests.
- 7.79 NPPF paragraph 98 advises that planning decisions should protect and enhance public rights of way and access.

- 7.80 The Council's footpath records show four public rights of way within the boundaries of the application site. Public footpaths 428/002 and 428/003 traverse the site from north to south. Footpath 428/001 runs through the northernmost section of the site to the north of Longmoor Plantation whilst footpath 428/019 traverses the south east corner of the site. Footpaths 428/003 and 428/019 merge at the southern boundary of the site and the connect via the C115 road with footpath 428/006 which extends southwards to Stobswood.
- 7.81 The existing footpaths within the site have not been accessible for many years due to the site having been the subject of opencast mining and indeed sections of the routes formerly taken by footpaths 428/002 and 428/003 are no longer passable as they fall within the areas of lakes created on site as part of the opencast restoration works.
- 7.82 The approved opencast restoration plan for the site proposes the reinstatement of footpaths 428/001 and 428/019 on their previous routes through the site. The former route of footpath 428/002 is shown as being replaced with a new north-south bridleway further to the west which includes an additional spur to connect that bridleway with the C115 to the west of the site. The route of footpath 428/003 is shown as being replaced with a new north-south footpath further to the east.
- 7.83 The applicant's proposals comprise the diversion of footpath routes 428/001 and 428/019 to locations slightly further north and south respectively of their historic routes. No replacement footpath or bridleway is proposed for footpath 428/002 in contrast to the approved opencast restoration plan. This is because access into the proposed development itself does need to be controlled given its commercial nature. However, the applicant does propose, as per the approved opencast restoration plan to provide a new route for footpath 428/003 at the eastern end of the application site. They have also advised that they would be willing to upgrade the specification of this replacement footpath to bridleway standard and the landowner in respect of adjoining land to the north has also agreed that the applicant may upgrade sections of existing footpaths 428/001 and 428/003 to the north of the application site to bridleway standard also to allow for a continuous bridleway route to be provided for between the C115 and proposed bridleways to the north of the application site shown on the approved opencast restoration plan which the bridleway through the site shown on the restoration plan would have connected with. The full extent of this new bridleway would need to be secured through a Planning Obligation given that sections of its route lie outside of the application site and the applicant's land ownership.
- 7.84 The Council's footpaths team raise no objection to the applicant's mitigation proposals subject to these being secured by conditions and a Section 106 Agreement..
- 7.85 Concern has been expressed by objectors regarding the loss of more general access to what they considered would have been public open space provided within the application site as part of the opencast restoration plan. However, other than the public footpaths identified on the restoration plan and considered above, that plan does not explicitly state that other areas within the

application site would be publicly accessible and there are no conditions or legal agreements associated with the planning permission for the former opencast mining operations which state that such land would be made available for public access.

### **Planning Obligations**

- 7.86 When considering the use of planning obligation under Section 106 of the Town & Country Planning Act regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, obligations can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
- 7.87 As advised earlier in this report, it is proposed that a planning obligation be utilised to secure a financial contribution to the Council's coastal ecology mitigation scheme, off-site ecology mitigation works at Maiden's Hall Lake to the north of the application site and the upgrading of existing public rights of way adjacent to the north east boundary of the site to allow for completion of a new bridleway route linking the C115 road with proposed bridleways to the north of the application site approved as part of the opencast restoration plan for the wider locality.
- 7.88 Both the applicant and the landowner in respect of the above-mentioned off-site areas have agreed to enter into a Section 106 Agreement.
- 7.89 However, overall it is considered that it would be acceptable in terms of the CIL Regulations for these matters to be dealt with by means of a Section 106 Agreement..

### **Other Matters**

- 7.90 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.
- 7.91 These proposals have no implications in relation to crime and disorder.
- 7.92 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.

- 7.93 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.
- 7.94 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 Bringing all matters together in terms of the overall planning balance, it is considered that significant benefits would arise from the proposal in terms of the economic objective of sustainable development. These comprise the creation of substantial employment both during the construction phase and within the proposed development once operational and the significant additional spending within the local economy that would arise from the proposals.
- 8.2 Further benefit would arise in respect of the social objective of sustainable development through the proposed leisure facilities being available for the use of non-residents, although such benefit would be less substantial than the economic benefits arising and would need to be secured through a condition in respect of community use. Some harm would also result from the quantitative loss of a public right of way north-south across the site, although it is considered that appropriate compensatory footpaths/bridleway provision can be secured..
- 8.3 With regard to the environmental objective of sustainable development some harm would arise to the open countryside landscape character of the locality through the introduction of a greater quantum of built development. However, such harm is not considered significant given the relatively low quality of the landscape within and surrounding the application site, the existing presence of substantial built development on the nearby windfarms and the landscape mitigation measures proposed. It is considered that impacts arising in respect of residential amenity, land contamination/ground stability, highway safety/transportation and drainage/flood risk can also be satisfactorily mitigated through conditions.

8.4 It is considered that appropriate ecological mitigation can be secured through conditions and a planning obligation.

8.5 Therefore, it is considered that the proposals overall constitute sustainable development, particularly bearing in mind the significant economic benefits arising and the mitigation proposed to address the various impacts. As such it is recommended that the proposed development should be supported subject to conditions and a Section 106 Agreement being entered into in respect of ecology and public right of way mitigation measures.

## 9. Recommendation

That Strategic Planning Committee be minded to approve the application and delegate authority to the Director of Planning to grant planning permission subject to the conditions as detailed below and a Section 106 Agreement being entered into by the applicant and adjacent landowner to secure a coastal ecology mitigation contribution of £271,200, further ecology mitigation in respect of Maiden's Hall Lake to the north of the application site and compensatory off-site bridleway provision.

### Conditions/Reasons

#### **Phase 1 - Full Planning Permission Conditions**

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

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

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

Figure 1 Site Location 28/11/17;

Figure 2 Site Layout 28/11/17;

Figure 3 Phasing Plan 28/11/18;

Figure 4 Master Plan 22/08/18, rev D October 2018;

Figure 5 Phase 1 Master Plan 22/08/18;

P17-2126-01 Ground Floor Plan 28/11/17;

P17-2126-02 Lower Ground Floor Plan 28/11/17;

P17-2126-03 Internal Perspectives 28/11/17;

P17-2126-04 Internal Perspectives 28/11/17;

P17-2126-05 Sections 28/11/17;

P17-2126-06 Sections (Sheet 2) 28/11/17;

P17-2126-07 Elevations 28/11/17;

CC100 Rev.3 Proposed Toilet Block 28/11/17;

CC200 Rev 1 Proposed Workshop 28/11/17.

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

03. Development shall not commence until details regarding the specification, implementation, maintenance and management of a scheme for surface water using a sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be in broad accordance with drawing: 40126 04 Rev D Oct 2018 (drainage strategy) and designed to dispose and attenuate surface water up to the 1 in 100 year plus 40% climate change event from the development and shall limit discharge from the development to greenfield for the respective catchment, for all rainfall events. Thereafter the scheme shall be constructed and implemented in full accordance with the approved details, which shall include:

- i) Restrict discharge from the development to/from the caravan park catchment to no more than 6.6l/s for the 1 in 100 year storm event;
- ii) Restrict discharge from the development to 7.9 l/s for the touring caravan park for the 1 in 100 year storm event;
- iii) Restrict discharge from the development to 2.9l/s for the Lakeside development for the 1 in 100 year storm event;
- iv) A timetable for its implementation;
- v) Full details of the drainage layout including a detailed plan for each catchment that contains pipe numbers, manhole numbers, pipe gradient and diameters, plot drainage;
- vi) Full details of the SuDS basin, including plan and cross-sectional drawings, inlets and outlets;
- vii) Detailed drawings of the hydrobrakes and outlet SuDS
- viii) A health and safety assessment for all SuDS features incorporated within the development.

Reason: To ensure the effective disposal of surface water from the development in accordance with Policy RE5 of the Castle Morpeth District Local Plan and the NPPF.

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

Reason: To ensure that the scheme to disposal of surface water operates at its full potential throughout the developments lifetime in accordance with Policy RE5 of the Castle Morpeth District Local Plan and the NPPF.

05. Prior to the commencement of development a scheme which mitigates any overland surface water flows into the development shall be undertaken, including

any mitigation carried out within the development, in full accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the ingress of off-site surface water entering any caravans on site in accordance with Policy RE5 of the Castle Morpeth District Local Plan and the NPPF.

06. The development hereby permitted shall be undertaken in full accordance with details of the facing and roofing materials to be used in respect of all of the proposed buildings and the construction of the external surfaces of the access roads and paths which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with Policy E12 of the Castle Morpeth District Local Plan and the NPPF..

07. Notwithstanding details submitted, the development seeking full planning permission shall not be brought into use until details of the car parking area have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be constructed and retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the NPPF.

08. Notwithstanding details submitted, development shall not commence until details of the following proposed highway works have been submitted to and approved in writing by the Local Planning Authority:

- i) Creation of main site access and servicing site access junctions, including the reinstatement to highway verge of any redundant accesses around the site ;
- ii) Scheme of advanced warning and directional signage for the development, including the removal of redundant signage as required; and
- iii) Bus stop infrastructure improvements to the northbound and southbound bus stops on the A1068 to the south of the Widdrington Roundabout comprising the provision of Disability Discrimination Act compliant raised kerbs and additional highway works associated with the provision of such raised kerbs.

The development shall not be brought into use until the highway works have been constructed in accordance with those approved details.

Reason: In the interests of highway safety, in accordance with the NPPF.

09. Notwithstanding details submitted, the development seeking full planning permission shall not be brought into use until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved

cycle parking shall be implemented before the development benefiting from full planning permission is brought into use. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the NPPF.

10. Twelve months after the development is first brought into use a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- i) details of and results from an initial staff, visitors and users travel survey;
- ii) clearly specified ongoing targets for staff, visitors and users travel mode shares;
- iii) a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and
- iv) a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the NPPF.

11. Prior to the development being brought into use details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is brought into use. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development , in accordance with the NPPF.

12. The development shall not be brought into use until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of the bins, including turning areas for refuse vehicles within the site. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of waste in accordance with the NPPF.



13. The development shall not be brought into use until details of a delivery and servicing strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the timings and types of deliveries, the vehicles used, restrictions on the operational periods times location and turning areas for vehicles within the site. The approved delivery and servicing strategy shall be implemented before the development is brought into use and operated in accordance with approved details at all times thereafter.

Reason: In the interests of highway safety in accordance with the NPPF.

14. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other re-enacting or revoking Order with or without modification), no gate, barrier or similar security feature shall be erected on any access road to the site within 20m of the edge of the public highway without planning permission being obtained from the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the NPPF.

15. No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include the planting of trees and shrubs, the provision of screen walls, fences or other boundary treatments, outdoor play area details, areas of hardstanding, pathways etc, areas to be seeded with grass and other works or proposals for improving the appearance of the development. Soft landscape works shall include the planting of locally native trees, shrubs, grasses and wildflowers of local provenance. The approved works shall be implemented in full within the first planting season following the first occupation of the development. Any soft landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the first occupation of the development shall be replaced within the next planting season with soft landscaping of a similar size and species to that which it is replacing.

Reason: In the interests of visual amenity and biodiversity in accordance with Policy C11 and E12 of the Castle Morpeth District Local Plan.

16. The development hereby granted full planning permission shall be constructed in full accordance with details to be submitted to and approved in writing by the Local Planning Authority in respect of the proposed levels, including where relevant finished floor levels, of any buildings, holiday unit pitches and external leisure activity areas, compared to existing levels on the site. Thereafter the development shall be constructed in full accordance with the approved levels unless otherwise approved in writing by the local planning authority.

Reason: In order to safeguard the character and appearance of the area having regard to Policy E12 of the Castle Morpeth District Local Plan and the NPPF.

## **Phase 2 - Outline Planning Permission Conditions**

17. Approval of the details of the access, layout, scale, appearance and landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced in respect of that part of the site for which outline planning permission is granted.. Thereafter, development shall not be carried out other than in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

18. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

19. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

20. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

Figure 1 Site Location 28/11/17;

Figure 2 Site Layout 28/11/17;

Figure 3 Phasing Plan 28/11/18;

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

21. The Reserved Matters to be submitted under Condition 17 above shall be in broad accordance with the Figure 4 Master Plan rev 4 (October 2018) forming part of the submitted application documentation.

Reason: To appropriately define the permission in the interests of visual amenity and landscape character in accordance with Policy E12 of the Castle Morpeth District Local Plan

22. Prior to the commencement of development a scheme to dispose of surface water from the development shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall:

- i) Restrict discharge from the development to greenfield runoff rates for the outline planning permission area and provide a full drainage design for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by the LLFA and the local planning authority;
- ii) Adhere to the principles as set out in the drainage strategy from Wood PLC Technical note:40126 October 2018 and drainage strategy 40126CGOS004ia Rev 4;
- iii) Provide attenuation on site for the 1 in 100 year plus 40% climate change event;
- iv) Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment;
- v) A health and safety assessment for all SuDS features incorporated within the development; and
- vi) Provide details of the adoption and maintenance of all surface water features on site.

Thereafter the development shall be constructed and maintained in full accordance with those approved details.

Reason: To ensure the effective disposal of surface water from the development in accordance with Policy RE5 of the Castle Morpeth District Local Plan and the NPPF.

23. No part of the development seeking outline approval shall be brought into use until details of car parking areas have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with those approved details. Thereafter, those car parking areas shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the NPPF..

24. Means of vehicular access to the development hereby granted outline approval shall be from the approved accesses granted full planning permission under this permission only.

Reason: In the interests of highway safety, in accordance with the NPPF.

25. The development hereby granted outline planning approval shall not be brought into use until details of cycle parking have been submitted to and approved

in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development hereby granted outline planning approval is brought into use. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the NPPF.

26. The development hereby granted outline planning permission shall not be brought into use until updates to the Refuse storage facilities and strategy and the Delivery and Servicing Strategy secured by conditions in respect of that element of this approval granted full planning permission to take into account the increase in development on the site have been submitted to and approved in writing by the Local Planning Authority. The approved updates shall be implemented before the development hereby granted outline approval is brought into use and thereafter retained and implemented in accordance with the approved details.

Reason: In the interest of highway safety and to ensure sufficient and suitable facilities are provided for the storage and collection of waste in accordance with the NPPF.

27. Prior to the submission of reserved matters under Condition 17 above, a scheme of intrusive site investigations for the highwall of the former surface extraction shall be undertaken and thereafter any reserved matters application shall include:

- i) A report of findings arising from those intrusive site investigations;
- ii) The submission of a layout plan which defines suitable 'no-build' zones, for the highwall.

Reason: To safeguard against ground instability in accordance with Policy RE9 of the Castle Morpeth District Local Plan and the NPPF.

28. Any landscaping reserved matters approved under condition 17 above shall be completed in all respects within 6 months of the substantial completion of the development granted outline planning approval under this permission. Any soft landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the first occupation of that development shall be replaced within the next planting season with soft landscaping of a similar size and species to that which it is replacing.

Reason: In the interests of visual amenity and biodiversity in accordance with Policy C11 and E12 of the Castle Morpeth District Local Plan.

29. The Reserved Matters to be submitted under Condition 17 above in respect of the development hereby permitted, shall include full details of the proposed levels including where relevant finished floor levels, of any buildings and holiday unit pitches, compared to existing levels on the site. Thereafter the development shall be constructed in full accordance with the approved levels unless otherwise approved in writing by the local planning authority.

Reason: In order to safeguard the character and appearance of the area having regard to Policy E12 of the Castle Morpeth District Local Plan and the NPPF.

### **Conditions applying in respect of both Phases 1 and 2**

30. Each static caravan/lodge on site shall provide at all times for a 400 millimetre clearance between the floor of that caravan/lodge and the concrete plinth upon which that caravan/lodge will be sited. Any skirting fitted around this void shall not restrict the passage of air and gases in and out of the void beneath the lodge.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy RE8 of the Castle Morpeth District Local Plan and the NPPF.

31. Prior to the commencement of development, details of all service ducts showing how they will be constructed and installed to prevent the ingress of any ground gases via these ducts into the caravans/lodges. shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in full accordance with those approved details.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy RE8 of the Castle Morpeth District Local Plan and the NPPF.

32. No permanent structure requiring foundations shall be constructed until a report detailing the protective measures to be provided within the development to prevent the ingress of ground gases, to the standards required in BS8485:2015 (Code of Practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings), for that phase has been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken in respect of any installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases). Thereafter, the approved protective measures shall be provided for each such permanent structure prior to its occupation.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy RE8 of the Castle Morpeth District Local Plan and the NPPF.

33. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 32, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy RE8 of the Castle Morpeth District Local Plan and the NPPF.

34. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

i) Further site investigations are required, this site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

ii) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the Local Planning Authority, and all remediation requirements shall be implemented and completed in full accordance with that Method Statement (or Remediation Strategy) as approved by the Local Planning Authority. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

iii) Two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that risks from land contamination to the future users of the land and buildings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants in accordance with Policy RE8 of the Castle Morpeth District Local Plan and the NPPF.

35. If during redevelopment contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

Reason: To ensure that risks from land contamination to the future users of the land and buildings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants in accordance with Policy RE8 of the Castle Morpeth District Local Plan and the NPPF.

36. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with those approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with Policies RE4 and RE5 of the Castle Morpeth District Local Plan and the NPPF.

37. Any caravan/lodge sited within any part of the application site shall be occupied for holiday purposes only, and no such 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 occupation that should be made available for inspection by an authorised officer of the Council at all reasonable times.

Reason: To ensure that the pitches on site due to their open countryside location outside of a defined settlement boundary are retained for holiday use only in accordance with Policies C1 and WDC1 of the Castle Morpeth District Local Plan and the NPPF.

38. Any static caravan/lodge sited within any part of the application site shall at all times accord with floorspace, height and colour finish parameters in respect of static caravans/lodges on that part of the application site which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard visual amenity and landscape character in accordance with Policy E12 of the Castle Morpeth District Local Plan.

39. None of the pitches or the main reception/amenity building hereby permitted shall be occupied unless and until a private shuttle bus service between the application site and bus/rail services in Widdrington Village and Widdrington Station has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter, that shuttle bus service shall

continue to be provided at all times in accordance with those approved details whenever the development hereby permitted is operational.

Reason: To promote sustainable transport choices in accordance with Policy T5 of the Castle Morpeth District Local Plan and the NPPF.

40. None of the pitches or the main reception/amenity building hereby permitted shall be substantially completed unless and until existing public rights of way within the application site have been stopped up and replacement public rights of way have been provided within the application site in accordance with a rights of way scheme to be submitted to and approved in writing by the Local Planning Authority. The broad locations of replacement public rights of way in that scheme shall be as shown on the Figure 4 Master Plan rev 4 (October 2018) forming part of the approved application documentation and the construction detail of any replacement public rights of way shall be in accordance with specification details submitted to and approved in writing by the Local Planning Authority as part of that scheme. Those specification details shall include the provision of a bridleway in respect of the replacement public right of way to be provided at the eastern end of the application site. Thereafter such replacement public rights of way shall remain in place at all times.

Reason: To ensure that appropriate mitigation is provided for the loss of existing public rights of way within the application site in accordance with Policy R8 of the Castle Morpeth District Local Plan.

41. No external lighting shall be installed within the application site unless and until details regarding the siting and design of such lighting including details on how such siting and design will minimise impact on bats within and adjacent to the site have been submitted to and approved in writing by the local planning authority. Thereafter such external lighting shall be installed in full accordance with those approved details.

Reason: In the interests of visual amenity and biodiversity in accordance with Policies E12 and C11 of the Castle Morpeth District Local Plan and the NPPF.

42. Development shall not commence until a Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i) details of temporary traffic management measures, temporary access, routes and vehicles;
- ii) vehicle cleaning facilities;
- iii) the parking of vehicles of site operatives and visitors;



- iv) the loading and unloading of plant and materials;
- v) storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Policy E12 of the Castle Morpeth District Local Plan and the NPPF.

43. Those elements of the development hereby permitted comprising a swimming pool, sauna, indoor play space, catering facilities, beauty treatments floorspace and retail shop shall only be used primarily by residents/users of the holiday park within the application site.

Reason: To ensure that these elements of the development, due to their out-of-centre location, are not used in a manner that would adversely affect the vitality and viability of nearby town centres in accordance with the NPPF.

44. No development shall commence until a detailed habitat creation and management plan for the site has been submitted to and approved in writing by the Local Planning Authority, including the proposals for wetland creation, establishment of species-rich grassland and measures to manage dogs set out on Figure 4 'Masterplan' (October 2018 40126-04 Rev D stokd). That management plan shall be fully implemented as approved for the lifetime of the development and shall be reviewed at least once every five years, with the revised plan to be approved in writing by the Local Planning Authority.

Reason: To secure mitigation for impacts on important ecological features, in accordance with paragraph 175 of the NPPF.

45. No development shall commence until a method statement for the control of non-native invasive plant species has been submitted to and approved by the Local Planning Authority. Thereafter that method statement shall be fully implemented as approved.

Reason: To ensure the satisfactory control of species harmful to the ecological value of the development site in accordance with the NPPF.

46. The development hereby permitted shall not be occupied unless and until a Community Use Agreement in respect of access to the leisure facilities within the development for non-residents has been submitted to and approved in writing by the Local Planning Authority. Thereafter access for non-residents to those leisure facilities shall be in full accordance with the Community Use Agreement as approved by the Local Planning Authority.

Reason: To ensure that non-residents are provided with access to the proposed leisure facilities in accordance with the social objective of sustainable development as outlined within the NPPF.

**Background Papers:** Planning application file(s) 17/04330/FUL