

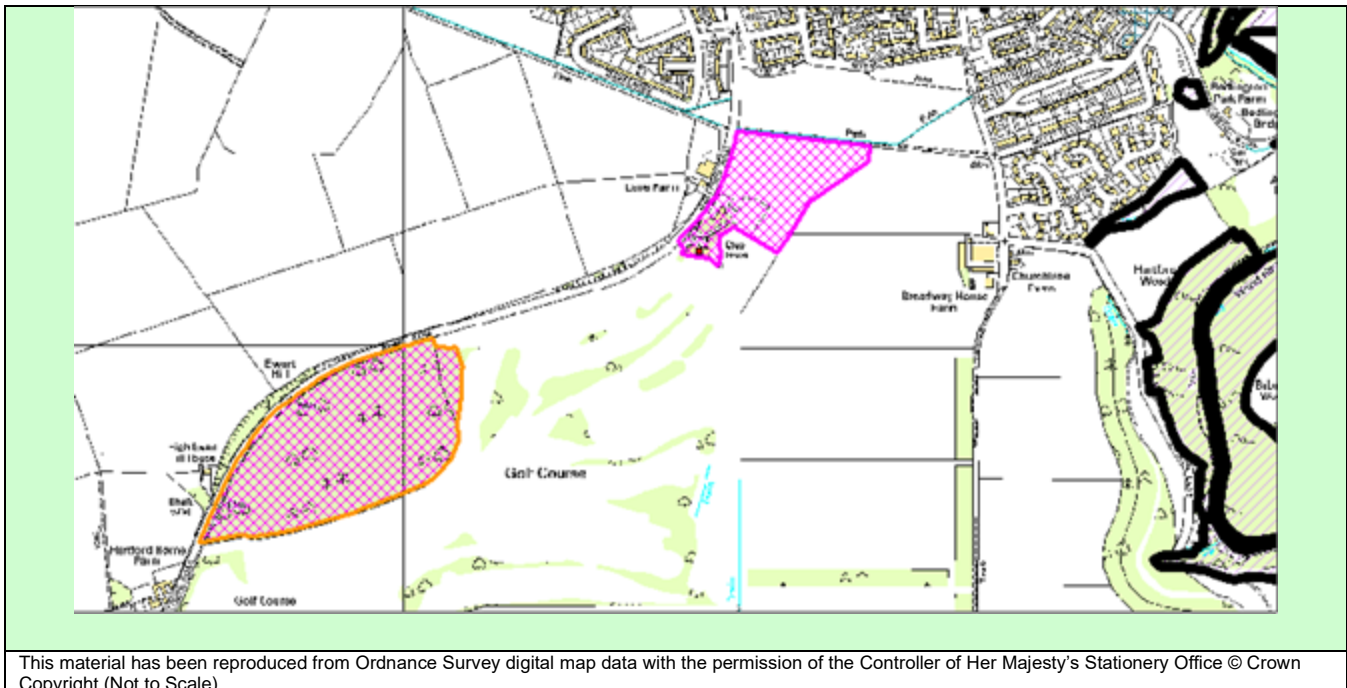


Northumberland County Council

3rd November, 2020

Application No:	19/02870/FUL		
Proposal:	Erection of 49 dwellings on site of former driving range, relocation and construction of 24 bay, floodlit, all weather driving range and visitor facility, creating 'Centre of Excellence', Clubhouse refurbishment/extension and new community function room (amended 04/05/2020)		
Site Address	Bedlingtonshire Golf Club , Hartford Road, Bedlington, NE22 6AA		
Applicant:	Bedlingtonshire Golf Club Hartford Road, Bedlington, NE22 6AA,	Agent:	Mr Alex Franklin Unit 3, Hexham Enterprise Hub, Burn Lane , Hexham , NE46 3HN
Ward	Bedlington Central	Parish	West Bedlington
Valid Date:	1 October 2019	Expiry Date:	31 August 2020
Case Officer Details:	Name: Mrs Tamsin Wood Job Title: Senior Planning Officer Tel No: 01670 625545 Email: tamsin.wood@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1. Introduction

- 1.1 This application falls to be determined by Strategic Planning Committee as the housing proposed would be delivered by Ascent Homes and due to the level of public interest in the proposals.

2. Description of the Proposals

- 2.1 Full planning permission is sought for the erection of 49 no. dwellings on the site of the former driving range, the relocation and construction of a 24 bay, floodlit, all weather driving range and visitor facility to create a 'Centre of Excellence', Clubhouse refurbishment/extension and new Community Function Room at Land at Bedlingtonshire Golf Club.

- 2.2 In terms of the current layout the driving range is situated to the north of the site with the main car park just south of this. The existing Green Keepers building lies just west of the main car park and east of the main road. The Club House is then situated just south of the Green Keepers building with the access road into the site between.

Residential

- 2.3 The proposal would involve the demolition of the Green Keepers building. The proposed residential development would then be located on the site of the Green Keepers building and the existing driving range at the northern and north east end of the site. The layout of the residential properties would be an 'L' shape with those properties directly north of the Clubhouse facing the Hartford Road (A1068) with their rear gardens facing east and towards the main car park. To the north of this particular site a new access from the road would be created leading to an internal estate road layout. The properties to the north would also be located in a linear fashion along and either side of this road with the properties to the north of this road having rear gardens facing the adjoining field and those to the south having rear gardens next to an area of open space that would be provided between the houses and main golf club car park. The 49 dwellings would consist of a mix of house types as follows:

Type 2 - 2 bed terraced/semi - 8no

Type 7 - 3 bed detached - 7no

Type 8 - 4 bed detached - 7no

Type 11 - 4 bed detached - 5no

Type 12 - 4 bed detached - 9no

Type 15 - 4 bed detached - 9no

Type CT1 - 4 bed detached - 1no

Type CT2 - 3 bed detached - 3no

Total 49

- 2.4 Each property would have their own parking and garages. The proposed dwellings are to be built using a mix of brick and render providing a modern finish. Each dwelling has been designed to include large windows which provides a modern appearance and allowing for light for potential resident. Existing tree would be kept along the boundaries of this site. The site is 3.05ha in total area.

Clubhouse extension

2.5 The existing clubhouse is relatively low in form on the eaves elevations with large gables framing the pitched roofs of concrete tiles; the external walls are clad in black stained horizontal shiplap timber boarding. Windows and doors are generally in white uPVC. The proposed extension to the Clubhouse would be to the east of the existing building. It would involve the demolition of that part of the club house which has the pro shop, store, office and trolley parks and it being replaced with a modern two storey flat roofed extension to house a function suite, new pro shop at ground floor. At lower ground floor it would have a trolley park, trolley store, locker rooms, toilet and plant room. At first floor it would have an open sky lounge. Solar panels will be situated on the northern side of the roof to provide sustainable energy for the Golf Club. The new fully refurbished bar and restaurant would be 'family friendly' and open to the public daily. The extension would be constructed of a variety of materials. The existing part of the Club House which will remain would also be reconfigured slightly and refurbished as the applicant has stated it is dated, with poor access around the building. The current area of the Clubhouse is 620sq m with the proposed extension increasing this to 1,600sq m. The main car park would also be extended and reconfigured and an area of public open space provided to the east and south of the residential properties. The SUDS basin for the dwellings would be provided on this site.

Driving range and facilities

2.6 The applicant also proposes visitor accommodation, driving bays under cover a driving range and new parking area on an area of plantation woodland to the south west of the Golf Course which is currently not in the ownership of the Golf Club but NCC. The A1068 Hartford Road also bounds the northern/western edge of this woodland, which is approximately 10ha in total area and from this road an existing vehicular access would be utilised. The site is bounded to the north, east and south by the existing golf course and by Hartford Road (A1068) to the west. The perimeter is heavily screened on all side by woodland. The site slopes broadly downhill from north to south and there is an embankment which follows the line of Hartford Road, affording great screening along that boundary. The site is covered with unmanaged woodland planted after the quarry working ceased.

2.7 The applicant has stated the existing driving range is to be re-located to this site as 'the current driving range is close to the recent housing to the north of the golf club car park. This has presented safety issues during operation from wayward drives. Safety netting was installed to the perimeter when this became evident, but this has had only limited success and a permanent solution needs to be implemented.'

2.8 The proposal would involve the clearance of an area of the plantation for the relocated driving range which would face north east. At the foot of the driving range a monopitched single storey driving range building is proposed with 24 covered bays which the applicant states can be used when it is darker when the weather is unsuitable, and the course cannot be used. The applicant has stated this pattern of use is essential to extend the use of the club and to help maintain and develop standards. The new building which would also be located to the east of the new car park proposed at this particular site and it would be constructed in similar materials to that of the club house extension,

which the applicant states is to provide a 'cohesive approach and reinforce the holistic connections.'

- 2.9 The proposed new visitor facility building would be located to the north west of the car park at this site and still in the woodland area. It would provide a small cafe, toilets, launch monitor, training room and staff office. The bistro style café would be available for the range users, local walking/cycling groups and members of the public. It would also have a monopitched roof like the driving range building and be constructed of similar materials. Pedestrian footpaths from the west will be introduced to give a clear route into and around the site and encourage engagement with the landscape.
- 2.10 This northern part of the site where the club house is bound to the north by a field/ open space, beyond the existing driving range, to the east there are open fields and new housing estate and Hartford Road (A1068) bounds the western boundary and to the south the golf course which will remain untouched. There is a large multi-business base operated by WL Straughans directly opposite the entrance to the club house and car park. The Western boundary with Hartford Road and northern boundary has trees and well-established established hedging along it. The site generally slopes downwards towards the east from Hartford Road and the Club House. The former open-cast mine workings 'high wall' edge influences the use of the site and it's location influences the use of the land.
- 2.11 Bedlingtonshire Golf Club is situated 0.6 miles south of Bedlington town centre on the A1068, and has easy access to the A1 to the west and A189 to the east. Good quality links are provided to Morpeth, 6 miles to the north-west, and Newcastle, 12 miles to the south. Bedlington is identified as a main town within Northumberland and has a good range of services and facilities including; schools, GP surgery, restaurants, pubs, supermarkets, local specialist retailers, convenience stores, a post office, pharmacist, hairdressers, florists and services including banks and building societies. Bedlington also has a Community Centre and Library. The site is within walking distance along existing footpaths leading from the town centre and local amenities and is serviced by existing bus routes along Hartford Road.
- 2.12 The application site is located just to the south of the settlement boundary for Bedlington and in the open countryside. The majority of the golf course land is designated on the Wansbeck Local Plan proposals map as OS8 (Safeguarded Parks and Open Space) and so covered by Recreation Policies 1,2,3,4. The adjoining land within the settlement boundary is allocated OS9. There is no allocation on the woodland area where the driving range is proposed. Hartford Road to the west of the woodland plantation forms the boundary of the designated Green Belt beyond (Policy GP2). In particular, the publication draft Local Plan has been informed by much more up-to-date evidence than the previous 'saved' plan policies, with that evidence base also being a material consideration of reasonable weight in itself. The emerging Local Plan's integral Policies Map identifies that the site in question is outside the settlement boundary for Bedlington (under Policy STP1) - which is slightly changed in this particular location from the previous 'saved' District Local Plan proposals map to reflect the recent housing development to the north-east of the application site. The whole golf course land also forms part of the wider Northumberland Coalfield Nature Improvement Area, with the golf

course (excluding the club house and existing driving range area) and woodland plantation area (a reclaimed area of natural and semi-natural greenspace) forming part of the South East Northumberland Wildlife Network which is protected for its ecological and biodiversity value through emerging plan Policy ENV2. In addition all of the site is allocated as Protected Open Space in the emerging local plan.

BACKGROUND

2.13 The applicant has submitted various reports with the application and supporting information. Within this they set out their main reasons for submitting the applications, which in summary are:

The Club currently has over 700 Members, ranging in age from 4 to 90 years with a comprehensive and competitive fees structure to ensure sustainability. The ethos of the Club is to ensure Members feel valued and part of a community to encourage lifelong commitment to the sport. In recent years, the Club has promoted a successful junior membership scheme, increasing numbers from only 14 to 65. This initiative includes a weekly junior development club attended by in excess of 80 young people, members, general public and schools sports provision in 4 local schools.

Bedlingtonshire Golf Club is financially stable with annual surpluses reinvested in Course Development and asset purchase. The Club has a comprehensive Business Plan with both short and long term objectives for growth.

As a result of a housing development beyond the boundary of the current Driving Range (application ref: 14/01768/FUL), the Golf Club is faced with a serious Health and Safety risk. A comprehensive risk assessment has been carried out by the Club, and strict restrictions have been imposed. Despite this, the risk of golf balls encroaching onto properties has not been eradicated with two incidents of property damage recently and frequent reports of balls in gardens. As a result of this risk, the Driving Range is no longer fit for purpose leaving the Club vulnerable to losing members to other Clubs who are able to offer this benefit.

This proposal relocates the Driving Range and will also significantly improve the facilities available for both members of the Golf Club and the wider community, through the provision of a Community Function Room. This will ensure the long term sustainability of the Golf Club, which is an important recreational facility for Bedlington.

The Centre of Excellence would offer year round provision (as currently there are limitations in winter months) to allow continuation of junior golf programmes, whilst enabling older members with health and lifestyle constraints to continue to access the sport. The facility has the endorsement of the Community Foundation to become a 'Regional Centre of Excellence' which would encourage funding opportunities for young people, for example by combining technology with learning as is now adopted in schools.

The area of neglected woodland will be managed and become a habitat for local wildlife, having further local benefits.

The refurbishment of the Clubhouse will create a new Community Function Room, a space which is lacking within Bedlington. A downward slope to the east provides an opportunity for a semi-basement approach and the new 'Spike Bar' which would be for members to use, thus freeing up the Clubhouse for public hire.

The community space could be hired for weddings, funerals and christenings. There are currently very few venues in Bedlington which can offer space for these events, whilst additionally being utilised by local community groups to host meetings. The space could also be used by new local businesses from the upcoming market place development.

This development will be funded by the construction of 49 no. new homes by Ascent Homes. Ascent Homes are passionate about creating high-quality homes and improving the communities in which it operates, utilising local labour and craftsman for more than 70% of its work, ensuring all developments have a genuine positive impact upon those who live in and around them.

(from design and access statements)

-The existing Clubhouse provides facilities for club members and visitors to the course. Built in the 1970's many of those facilities are now too small to satisfy the current needs of the club and to accommodate new services which will strengthen the appeal on a local and regional basis.

- Internally the main social spaces are dated and inflexible with poor access. The kitchen is in need of refurbishment; is too small for modern methods of operation, storage and hygiene, and limits the peak service at busy times.

-The interior layout is inflexible and dated and this is a major constraint on the use of the Club by outside groups for meetings, social gatherings, weddings and christenings.

-The Club have identified a range of new facilities which will establish a strong sustainable community based future to encourage new generations to engage with the sport and the Club.

-The main ground floor houses new facilities to strengthen the range of services and broaden it's engagement with the broader community. Within the existing building the spaces have been redefined to expand the hospitality facilities with better flexibility, modernised bars, toilets and plant. The locker rooms for non-members have been expanded to improve the experience for visiting players.

-The extended building will house a new Centre of Excellence combined with the Pro shop which includes an indoor driving bay for training and tailored personal club fitting. This will provide all year round coaching in all weathers and for all age groups and abilities. The facility has the endorsement of the Community Foundation which will attract funding opportunities for young people.

-An open upper floor will provide a viewing gallery and hospitality venue to be used as weather permits. This will have open views to the south and east across the golf course and fields; a raised parapet wall will provide acoustic and privacy screening for distant housing to the north.

-Access to all 3 levels will be fully inclusive allowing flexible use for everyone.

-A good modern driving range with covered bays can provide for practice when it is dark or when the weather is unsuitable and the course cannot be used; this pattern of use is essential to extend the use of the club and to help maintain and develop standards. It provides an excellent environment for teaching both groups and individuals; a safe, secure supervised facility is an ideal venue for younger groups.

-The objective is to purchase a the 24 acre quarry site from NCC and construct a 24 bay all weather driving range.

3. Planning History

Reference Number: 84/F/0317

Description: Reclamation of derelict land

Status: PER

Reference Number: 15/02896/ADE

Description: Advertisement consent for 1no fascia sign

Status: WDN

Reference Number: 16/00961/FUL

Description: Proposed erection of artwork

Status: PER

4. Consultee Responses

Public Protection	This Service is not in agreement with this proposal. (with respect to noise) is compatible with the NPPF provided that the development would be subject to conditions. The Contamination and Lighting Concerns remain outstanding.
The Coal Authority	No objection.
Highways	Concerns could be overcome by submission and approval of amended plans or additional information before any permission is granted.
County Ecologist	No objection subject to conditions/ Sec 106.
West Bedlington Parish Council	OBJECT to the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, decisions on planning applications must be made in accordance with the development plan, unless material considerations indicate otherwise. The primacy of the development plan is reaffirmed in paragraph 2 of the National Planning Policy Framework (NPPF). In addition, paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. The statutory development plan relevant to this application comprises the saved policies of the Wansbeck District Local Plan (WDLP - 2007). Material

considerations include the emerging Northumberland Local Plan and the NPPF.

A number of the policies within the WDLP are relevant to the determination of the planning application. Those which are key to assessing the acceptability of the principle of the proposed development are policies GP1 (settlement limits) and REC1 (strategically important parks and open spaces).

Policy GP1 seeks to focus new development within settlement limits and part c of the policy only supports development in the open countryside where specific criteria are met. The application site lies outside the defined settlement boundary and does not meet the criteria specified within the policy. Policy REC1 requires the safeguarding of the network of strategically important parks and open spaces. It states that planning permission will not be granted for development on a designated site unless: the predominantly open character of the area is maintained and the development is incidental and beneficial to the recreational or amenity use of the land. The application site is allocated as a strategically important area of open space. Clearly the development of housing will not maintain the open character of the area, nor is it incidental or beneficial to the recreational or amenity use of the land.

The application site also lies outside the Bedlington settlement boundary proposed within the emerging Northumberland Local Plan (NLP - policy STP1) and on land that is proposed to be retained as protected open space (policy INF5).

Policy STP1 requires new development to be focused within settlement boundaries. Paragraph 4.37 of the emerging NLP states that settlement boundaries are intended to provide a high degree of certainty to communities regarding future development. They are designated to:

- help to protect the countryside from adhoc development and encroachment;
- prevent the merger of settlements;
- maintain the character and form of settlements; and
- protect the settings of historic and ecological assets.

Criterion G of Policy STP1 identifies when development may be acceptable in the open countryside. The proposed development does not meet the identified criteria.

Policy INF 5 requires the protection of allocated open space, unless it can be demonstrated that:

- it would be replaced by an area of equivalent or better quantity and quality in a suitable location; or
- an excess of provision in quantitative and qualitative terms is

clearly demonstrated; or
the development is for alternative sports and recreation provision, the need for which clearly outweighs the loss of the existing open space.

The NPPF highlights the importance of access to a network of high quality open spaces as well as opportunities for sport and physical activity (paragraph 96). Paragraph 97 is clear that existing open space should not be built on unless:

- it is clearly shown to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the proposed development is for alternative sports and recreation provision.

The planning statement submitted as part of the planning application seeks to justify the principle of the development by referring to a serious health and safety risk as a result of the proximity of the current driving range to new residential properties. Reference is made to a comprehensive risk assessment. Further details of the serious health and safety risk and the comprehensive risk assessment are not available. No details are provided to explain the need for a replacement driving range.

It is also stated that the proposal will significantly improve the facilities available for both members of the golf club and the wider community. Whilst the town council agree that such a proposal could improve facilities for members, which come from a wider area, it is not clear how the provision of a community function room, which it is assumed will be only available at a cost, provides a significant improvement in community facilities. In addition, no details are provided on the proposed centre of excellence and how this would relate to providing a facility for use by the local community, rather than something that is only available to club members.

The town council strongly dispute the need for the provision of additional new homes. There has been a significant level of development taken place in the town over recent years and the county council can demonstrate a 11.2 year supply of housing land. The provision of new homes does not therefore override the substantial conflict with both the adopted and emerging development plan.

The town council note the disparity within the submitted planning statement which first states that the proposed residential development would form part of the settlement but then refers to the

housing being enabling development i.e. that which may not ordinarily be acceptable in planning terms. It is therefore submitted that the applicant acknowledges that the principle of the residential redevelopment of the site is not acceptable.

An open space assessment has been provided as part of the planning application. The town council submits that this assessment is not fit for purpose.

Firstly, it fails to acknowledge that the site is allocated as part of a network of strategically important parks and open spaces and then seeks to undermine the value of the application site as being undeveloped open space that is not utilised as part of the Bedlingtonshire Golf Course. It also fails to undertake any assessment of the quality of the site itself, merely stating that the application site forms only a small part of the wider golf course.

As previously explained, the adopted local plan policy requires new development on open space to maintain the open character of the area and to be incidental or beneficial to the recreational or amenity use of the land. Residential development cannot meet these policy requirements.

Both the emerging Northumberland Local Plan and the NPPF require that open space should not be built on unless: it is clearly shown to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the proposed development is for alternative sports and recreation provision. There is no analysis of the need for the open space within the area, nor any detailed discussion on the quality of what is proposed to be provided. In addition, no assessment has been included to seek to demonstrate that the need for any new provision clearly outweighs the loss of the existing open space.

The town council submits that the application should be refused as being clearly contrary to the provisions of the development plan and there are no material considerations to justify approval.

Additionally Council members had concerns in relation to the proposed development been:

- 1) Outside the 'Settlement Boundary'
- 2) On 'Protected Open Space'
- 3) 'Loss of Trees'..to facilitate the Driving Range.
- 4) 'Natural Conservation'...the potential loss of wild life..in particular the Red Squirrels to facilitate the Driving Range and wildlife corridor from 20 Acre Playing Field.
- 5) 'Highway Safety 1' ..no traffic calming measures such as a

	<p>roundabout for the access onto the A1068 from the Club House.</p> <p>6) 'Highway Safety 2'...although the speed is restricted to 40mph the egress from the Driving Range is effectively on a 'blind bend'....another roundabout is needed....which unofficially would solve the speeding problem further down the road towards Hartford Bridge.</p> <p>7) Currently there is no 'Highways Assessment' listed for these proposals ?</p> <p>8) Contaminated Land - The old quarry was previously used as a landfill site</p>
Planning Strategy	<p>While this application for housing development on 'greenfield' golf course land is proposed as an enabling development to help finance the future growth of Bedlingtonshire Golf Club, the club is financially stable and the application must be assessed on its own merits against extant development plan policies and relevant material considerations including the NPPF and the emerging new Northumberland Local Plan and its associated evidence base. Fundamentally, the proposal is on 'greenfield' land outside the long-established settlement boundary of Bedlington, while there is evidently no need for any additional housing development in this area to help meet Northumberland's current and future housing requirements. The NPPF's presumption in favour of sustainable development also clearly does not apply in terms of supporting applications for housing development. Hence, while there may be scope to support the extension of the clubhouse and possibly the relocation of the driving range, the residential element of this application is considered to be contrary to existing and emerging planning policy relating to housing and settlement boundaries, as well as recreation, green infrastructure and biodiversity given the impact on the mature woodland plantation</p>
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Northumbrian Water Ltd	No objection subject to a condition.
Environment Agency	No response received.
Natural England	No objection subject to appropriate mitigation.
Architectural Liaison Officer - Police	Comments provided on design and layout.
Fire & Rescue Service	No objection in principle.
Strategic Estates	No response received.
South SE Tree	No response received.

And Woodland Officer	
Affordable Housing	It is recommended that the 17% requirement is met which means 5 units for DMV or shared ownership with the remaining 3 for affordable rent.
County Archaeologist	No objections to the application on agricultural grounds and no archaeological work is recommended.
Education - Schools	The calculation of the education infrastructure contribution arising from this application in total is calculated as £282,000.
Health Care CG	A single payment of £34,800 is required from the developer. As the sum is relatively small, this should be on completion of the first dwelling.
Countryside/ Rights Of Way	No objection to the application on the condition that Public Footpath No.58 is protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.
Strategic Estates	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	218
Number of Objections	14
Number of Support	47
Number of General Comments	5

Notices

General site notice, 7/10/19
News Post Leader 17th October 2019

Summary of Responses:

66 letters of representation were received of which 47 were in support and 14 were objections and 5 made general comments.

The material points of support were:

- It will create more jobs
- There is a need for housing
- Putting money back into the community/ benefit the community
- Improve facilities
- It will help other businesses
- Will make it more accessible for users of the gold club
- Great for golfers, new and existing and juniors

- Increase membership
- Help create a regional leading sporting facilities
- Will help the town
- Much needed improvements to the clubhouse
- Driving range and school of excellence is finished it will be an asset to the golf club and Bedlington alike
- all weather facilities will enhance the facilities
- Long awaited opportunity to provide a state of the art sports facility for the people of Bedlington and the region.

The material points of objection were:

- Infrastructure of Bedlington can not support more housing, including roads, schools, doctors surgeries
- Increase in traffic
- Too many houses which are not affordable housing
- Design of housing, in terms of addressing fuel poverty.
- Impact on green space
- The National Coal Board there was a covenant included .This stated that the land may only be used for sporting purposes eg. golf and that the only building that could be constructed were those relevant to the game of golf eg. Possible new club house and green keepers equipment.
- Hedgerow should be protected to north
- Course is protected open space.
- Loss of habitat and wildlife
- Reached housing target
- Impact on road safety
- Loss of recreational land
- Contrary to Policy- outside settlement boundary, protected open space,
- Quarry is toxic landfill
- No housing demand
- Visibility access points poor
- Loss of woodland and associated benefits of trees
- This development is for a minority of people who play golf, and will not benefit the wider range of residents who live in Bedlington
- I am aware of one incident where a window was smashed by a member of the golf club being over half way down the driving range when hitting the ball which caused damage to the window, this has been confirmed by several golf club members who I know, I have heard of no further incidents of golf balls smashing windows,
- In addition to this point I would like to know how the existing driving range is unsafe as condition 21 of the Aches development states "Prior to the commencement of the development, full details of a safety net to prevent golf balls from the neighbouring golf practice area entering the site from the west shall be submitted to and approved in writing by the Local Planning Authority. The details shall include exact siting, materials, full dimensions and a maintenance plan for the net. The safety net shall be installed as approved thereafter. Reason: In the interests of safety to the residents of the development." How are the existing measures unsafe as Bedlingtonshire Golf Club, Miller Homes and Northumberland County Council agreed the measures were safe and suitable and Bedlingtonshire Golf Club signed an agreement with Miller Homes on the 27th March 2015, which was accepted by Northumberland County Council as a reason to discharge condition 21

-How will it attract people to towns surely any visitors would only come to use the golf club facilities.

The material points of general comment are in regard to :

- Traffic and road improvements, road safety
- Replacement trees
- Lighting
- Infrastructure provision
- Potential congestion
- Impact on amenity/ traffic calming

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=PVTWLWQQS19K00>

6. Planning Policy

6.1 Development Plan Policy

Wansbeck District Local Plan

Policy GP1 – Locational Strategy;
Policy GP4 – Accessibility;
Policy GP5 – Landscape Character;
Policy GP6 – Trees and Hedgerows;
Policy GP10 – Sites of national importance for nature conservation;
Policy GP11 – Sites of local or regional nature conservation significance;
Policy GP13 – Biodiversity and wildlife networks;
Policy GP20 – Archaeology;
Policy GP22 – Flood Risk and Erosion;
Policy GP22a – Land Instability;
Policies GP23 to GP26 – Pollution and Nuisance;
Policy GP29 – Land Contamination;
Policy GP30 – Visual Impact;
Policy GP31 – Urban Design;
Policy GP32 – Landscaping and the Public Realm;
Policy GP34 – Resource Conservation and Integrated Renewable Energy;
Policy GP35 – Crime Prevention;
Policy H3 – Windfall Housing Sites;
Policy H5 – The Design and Density of New Housing Developments;
Policy H6 – Density;
Policy H7 – Affordable Housing;
Policy T2 – Provision for Buses;
Policy T3 – Provision for Cyclists;
Policy T4 – Provision for Walking;
Policy T5 – Access for People with Reduced Mobility;
Policy T6 – Traffic Implications of New Development;
Policy T7 – Parking Provision in new Developments;
Policy REC1 – Safeguarding Existing Parks and Open Space;

Policy REC5 – Proposals for New Outdoor Sports and Recreation Facilities;
Policy REC8 – Provision for Children’s Play in new Housing Developments;
Policy CF1 – Safeguarding Existing Community Facilities;
Policy CF6 – Water Supply and Drainage; and
Policy CF7 – Planning Conditions and obligations.

6.2 National Planning Policy

NPPF 2019

NPPG 2019

6.3 Other documents/strategies

Northumberland Local Plan Publication Draft Plan (Regulation 19)
Policy STP 1 Spatial strategy (Strategic Policy)
Policy STP 2 Presumption in favour of sustainable development (Strategic Policy)
Policy STP 3 Principles of sustainable development (Strategic Policy)
Policy STP 6 Green Infrastructure
Policy STP 7 Strategic approach to the Green Belt (Strategic Policy)
Policy STP 8 Development in the Green Belt (Strategic Policy)
Policy HOU 1 Making the best use of existing buildings (Strategic Policy)
Policy HOU 2 Provision of new residential development (Strategic Policy)
Policy HOU 3 Housing requirements for neighbourhood plan areas (Strategic Policy)
Policy HOU4 Housing development site allocations
Policy HOU 5 Housing types and mix
Policy HOU 6 Affordable Housing provision
Policy HOU 8 Residential Development in the open countryside
Policy HOU 9 Residential development management
Policy QOP 1 Design principles (Strategic Policy)
Policy QOP 2 Good design and amenity
Policy QOP 4 Landscaping and trees
Policy QOP 5 Sustainable design and construction
Policy QOP 6 Delivering well-designed places
Policy TRA 1 Promoting sustainable connections (Strategic Policy)
Policy TRA 2 The effects of development on the transport network
Policy TRA 4 Parking provision in new development
Policy ICT 2 New developments and infrastructure alignment
Policy ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
Policy ENV 2 Biodiversity and geodiversity
Policy ENV 3 Landscape
Policy WAT 1 Water quality
Policy WAT 2 Water supply and sewerage
Policy WAT 3 Flooding
Policy WAT 4 Sustainable Drainage Systems
Policy POL 1 Unstable and contaminated land
Policy POL 2 Pollution and air, soil and water quality
Policy INF1 Delivering development related infrastructure (Strategic Policy)
Policy INF6 Planning Obligations
Policy INF 2 – Community Services and Facilities;
Policy INF 5 – Open space and Facilities for Sport and Recreation.

Northumberland 5-year Housing Land Supply (2016-2021)
Wansbeck Provision for Sport and Play SPD;
Wansbeck Design Guide; and
Wansbeck Residential Development Design Guidance.

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. The development plan in respect of the application site comprises the Wansbeck Local Plan. 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).

7.2 In accordance with paragraph 48 of the NPPF weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The latest version of the NLP was submitted to the Secretary of State for examination in May 2019 and is currently at examination. Relevant policies in this document are a material consideration in determining this application and it is considered that such policies can be afforded some weight at this time.

7.3 Paragraph 11 of the NPPF provides definitive guidance on how applications should be determined by stating:

7.4 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.

Housing Land Supply

7.5 The NPPF seeks to implement the Government's growth agenda by significantly boosting the supply of housing. The NPPF requires Local

Planning Authorities to provide a five year supply of deliverable housing land and, where this cannot be demonstrated, relevant policies for the supply of housing should be considered out of date.

7.6 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirement. The five year housing land supply position, as well as the Housing Delivery Test, is pertinent to proposals for housing in that paragraph 11(d) and corresponding footnote 7 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where recent housing delivery is below a 75% threshold. This situation is the principal means (albeit not the only way) by which existing policies relevant to housing can be deemed out-of-date.

7.7 As identified in the Northumberland Strategic Housing Land Availability Assessment (September 2019), the Council can demonstrate a plentiful five-year housing land supply from 'deliverable' sites against the County's minimum Local Housing Need figure. Using the 2014-based household projections for the 2019-2029 period, together with the latest affordability ratio(March 2020 –ONS), this gives a minimum Local Housing Need of 651 dwellings per annum. Allowing for the 5% buffer therefore means that the SHLAA's identified 'deliverable' supply would equate to a 10.9 years housing land supply, giving a percentage of 218% Northumberland's identified supply of potentially 'deliverable' housing development sites is therefore evidenced to be significantly in excess of its current 5-year housing land supply requirement, by about three times the minimum requirement. Therefore, in the context of Footnote 7 of the NPPF, the presumption in favour of sustainable development would not apply.

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

Principle of the development
Section 106 Contributions
Design and the impact on the character of the area
Residential Amenity
Ecology
Highways
Flooding and Drainage
Land Contamination/ Stability and Lighting
Archaeology

Principle of Development

7.9 The 'saved' Wansbeck Local Plan Proposals Map identifies the golf course site in question as being located just outside the southern edge of the settlement limit of Bedlington which under Policy GP1 directs the location of development. The majority of the golf course land is designated as OS8-safeguarded parks and open space under Policies REC 1, although the woodland plantation area is excluded from this designation. Hartford Road to

the west of the woodland plantation forms the boundary of the designated Green Belt beyond (Policy GP2).

Club House extension and extended main car park

7.10 Whilst the club house and main car park lie outside the settlement boundary of Bedlington the proposed extension would accord with Policy GP1(C)a) and c) as this allows for extensions of buildings to a property within an existing curtilage and due to the nature of the proposal it requires a countryside location. In addition Local Plan Policy REC1 is also relevant given the sites allocation on the local plan proposals map.

This states that 'Permission will not be granted for development on a designated site unless:

- a) the predominantly open character of the area is maintained; and
- b) the development is incidental and beneficial to the recreational or amenity use of the land.

In this particular instance as the extension would be subordinate in size to the existing club house and in the context of the overall golf club site still help to maintain the predominantly open character of the area as would the extended car park and both developments are incidental and beneficial to the recreation, in the context that they will help to improve the facilities at the club house for users of the site, as such these proposals would also accord with Local Plan Policy REC1. Whilst there is not any evidence there is an essential need for a community space given Bedlington does have its own community facilities, as the provision of this room would be provided in the extension and in comparison, to the overall golf club site is only a small part of the proposal, which would provide a further income to the club, it is considered to be acceptable.

7.11 In addition to the above the NPPF also states 'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development..... Planning policies and decisions should recognise and address the specific locational requirements of different sectors.... Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and..'

7.12 In terms of the NPPF it is considered the proposals would provide the opportunity for Bedlington Golf Club to expand and adapt to fulfil their aspired business needs, which whilst although the Golf Club is not currently financially unsound, would help to ensure the long term sustainability of the club. It would allow the club to provide a much greater golfing experience for its members and non-members too, through improved facilities at the dated golf club and the creation of new facilities, such as the driving range and visitor centre which would also allow the opportunity for the golf club to become a Centre of Excellence. It would also provide opportunities for non members to use the site such as using the function suite. The location of all the proposals are also limited by the location of the golf club itself and so in

order to expand its facilities it is recognised that the developments proposed would need to be in an open countryside location, outside of the settlement boundary. It is therefore considered the proposal would also accord with the NPPF.

Driving Range and Visitor Centre

7.13 In terms of the driving range, driving range building, car park and visitor centre this would be provided on a site of unmanaged woodland planted after the quarry working ceased. This land is not covered by the same OS8 allocation on the local plan proposals map as the rest of the golf course. It still however falls outside the settlement boundary of Bedlington.

7.14 In terms of the driving range and associated driving range building these will clearly provide further facilities for users of the golf club. The driving range would also replace another one. The visitor centre would also provide facilities in connection with the golf club and the Centre for Excellence it aims to achieve. Whilst this building would have a café too which would be open to the public this is small in scale, being only 61 sqm and it would also be used as an ancillary facility to the golf club and for golf club users also.

7.15 Therefore whilst these parts of the proposal cannot be seen to accord with Local Plan Policy GP1(C)a) and c) as they are not extensions to buildings within an existing curtilage given they form new detached buildings and only the driving range could really be seen as being the only building that would need a countryside location, these parts of the proposal would however still be considered to be acceptable in principle under the NPPF for the same reasons set out in para 7.5. In addition the buildings are considered to be well-designed being single storey with mono pitched roof and constructed of timber external walls, which help them to assimilate into the wooded landscape.

Residential

7.16 The application also proposes 49 new dwellings on land to the north of the site which is also just south and outside of the settlement boundary of Bedlington and also covered by OS8 land in the local plan. Considering Local Plan Policy GP1 however this part of the proposal would not however accord with any of the criteria set out under Part C where development is considered to be acceptable in the countryside, which include where;

- a) the nature of the use requires a countryside location; or
- b) the development involves the re-use of an existing building; or
- c) the development involves an extension to a property within an existing curtilage
- d) in the case of greenfield development, it can be demonstrated that no suitable alternative previously-developed site is available.

7.17 In terms of Local Plan Policy REC1 this part of the proposal would also be contrary to this as the predominantly open character of the area would not be maintained; and b) the development is not incidental and beneficial to the recreational or amenity use of the land. The principle of this part of the

proposal is therefore considered to be contrary to both Local Plan Policies GP1 and REC1.

- 7.18 In terms paragraph 78 of the NPPF this states that: 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby. In considering the proposal against the NPPF the site is not located within a settlement but adjoins the settlement of Bedlington. The proposal could therefore not be construed as being 'development in a village' that may support services in a village nearby.
- 7.19 In addition whilst Bedlington is without doubt a sustainable town itself given the amount of services it provides and the site is within walking distance of Bedlington, as discussed under Housing Supply, in the context of paragraph 11(d) and Footnote 7 of the NPPF, the presumption in favour of sustainable development does not apply.
- 7.20 The emerging new Northumberland Local Plan is nevertheless also a material consideration in the assessment of planning applications. It is now progressing through its independent examination stages following submission at the end of May 2019. As such its draft policies now reasonably warrant some degree of weight in decision-taking, and (subject to the extent of any objections that may arise to different policies) that weight will increase as the draft Plan progresses towards final adoption.
- 7.21 In particular, the publication draft Local Plan has been informed by much more up-to-date evidence than the previous 'saved' plan policies, with that evidence base also being a material consideration of reasonable weight in itself. The draft Local Plan's integral Policies Map identifies that the site in question is still outside the settlement boundary for Bedlington (under Policy STP1) - which is slightly changed in this particular location from the previous 'saved' District Local Plan proposals map to reflect the recent housing development to the north-east of the application site.
- 7.22 The whole golf course land also forms part of the wider Northumberland Coalfield Nature Improvement Area, with the golf course (excluding the club house and existing driving range area) and woodland plantation area (a reclaimed area of natural and semi-natural greenspace) forming part of the South East Northumberland Wildlife Network. In addition the site including the residential area is also proposed as Protected Open Space as emerging plan policies STP6 and INF5 would apply. Whilst these policies would protect this land from residential development no significant weight can be given to these policies now.
- 7.23 In terms of housing, the publication draft Local Plan (Table 7.2) identifies no need for any further significant housing development in South East Northumberland over-and-above existing planning permissions and minded to approve applications, since completions over the past two years and outstanding commitments already exceed the area's identified requirements for the 2016-2036 plan period. Thus Northumberland has already more than satisfied the NPPF requirement to significantly boost the

supply of housing (para.59). There is no need for any further major housing development outside the settlement boundary.

7.24 It should also be noted that the recently updated SHLAA (Dec.2018), which forms part of the evidence base informing the publication draft Local Plan, considers the part of the application site proposed for housing (ref. 9419) to be Not Suitable for potential future housing development. Hence, this 2.64ha site was accordingly discounted and does not form part of the county's more than sufficient future housing land supply.

7.25 Given the above it is therefore considered that the principle of the residential development on the proposed site is not acceptable as it does not accord with Local Plan Policies REC1 and GP1.

7.26 The Golf Club do however propose the residential development as enabling development to help finance the future growth of Bedlington Golf Club. They state the proposed land sale would see the development of 49 dwellings on the existing practice green and this will release money for the proposed development of which the goals and objectives of the golf club are to:

- 1) Eliminate the Health and Safety Risk to the residents- The applicant states the existing driving range practice facility has now become a substantial Health and Safety risk due to the housing development in the adjacent field. This has reduced the capability of the facility and has required the introduction of a full "Risk Assessment" and yardage restrictions imposed on the field. However, the risk of golf balls encroaching the properties has not been eradicated with two incidents of property damage to date.
- 2) Maintain and Improve the club's financial capabilities
- 3) Provide an improved practice facility for the members and community.
- 4) Improve the Club House facilities including an Academy Studio
- 5) Actively improve and develop junior golf for the community
- 6) Keep affordable golf for members and the community
- 7) Actively encourage the availability and use of the Club facilities by the wider community
- 8) Encourage minority sports by interacting with Sports England
- 9) To provide a state-of-the-art improved practice facility for members and the community including a new 'Centre of Excellence'
- 10) To retain affordable golf for members and the community
- 11) To renovate the Clubhouse to a high standard and actively encourage the availability and use of the Club facilities by the wider community

7.27 The applicant states 'The proposed relocation of the driving range with practice ground and visitor facility on the area of poor graded woodland, plus Clubhouse improvements will be enabled by land receipts from the residential development. This will ensure there is direct linkage between the housing and the improvements to the Club, which will benefit both the club members and the wider community.' The applicant has set out a number of benefits of the proposed development which they believe amount to very 'special circumstances' that outweigh the harm caused by the housing development and these are material considerations which they believe should be fully considered in the planning balance. In summary these are:

- the development will boost housing supply

- it will enable the relocation of the existing driving range and practice ground, which will be a significant benefit to the existing residents that live adjacent to the site
- the capital investment through the proposed land sale will allow the Golf Club to deliver the relocation of the Driving Range and the extension to the Golf Club House to include a community function room, will ensure the delivery of new and improved recreational and community facilities.
- the proposed works will improve the existing facility and therefore there is an argument that this should serve to enhance the turnover / net profit of the business. This financial betterment should, be a consideration when looking at enabling development.
- the proposed development will enable Bedlingtonshire Golf Course to invest in the Clubs' long-term sustainability. Significant investment is required to relocate the driving range and provide community facilities that can generate an ongoing income stream for the Club. Private sector funding is the only way of guaranteeing delivery of these projects. The only realistic opportunity to facilitate the delivery of the proposed improvements is from the capital receipt from the proposed housing development.'
- there are a range of economic benefits associated with housebuilding in terms of the housebuilding industry itself which will bring direct economic benefits to the area through job creation and training opportunities for locals during the construction phase of development and secondary jobs created through the increased expenditure as a result of an increased population in the area.
- The Golf Club is allocated as Recreational Land, to which Policies REC1 and CF1 applies. This development will ensure an important recreational open space is safeguarded and provides an increasing amount of facilities to be used by members and general public. Emerging Policy INF5 states that developments on open space will not be supported unless they would be replaced by an area of equivalent or better quality. The proposed dwellings will enable the required improvements to Bedlington Golf Course which will see the club remain sustainable. This proposal is, therefore, policy compliant through the provision of better facilities on open space.
- The new visitor facility will provide a small café, toilets, lounge, training room, staff office, and garaging for the support machinery. As part of the visitor facility, the development proposes a bistro style café which would be available for the range users, local walking/cycling groups and members of the public.
- The refurbishment of the Clubhouse will create a new Community Function Room, a space which is lacking within Bedlington, whilst additionally being utilised by local community groups to host meetings and classes (e.g. slimming world or health classes such as yoga or pilates).
- Delivery of 8No. affordable houses.
- Local Highway improvements.
- Contribution to coastal mitigation.

7.28 In terms of the enabling argument to be clear enabling development relates to development which would otherwise be deemed harmful but the benefits of bringing forward the development are judged to outweigh the har.

7.29 In this case the golf club extension, driving range, driving range building, visitor centre and associated car parks, have all been deemed to be acceptable in principle. The principle of the residential development is not acceptable. But the applicant is stating the residential development is crucial

as the sale of the land for such purposes would pay for the works to the golf club and the above circumstances justify its approval.

7.30 Looking at the above however the applicant has also confirmed that the club is financially strong and viable with a strong membership. Loss of trade or increased competition is not a material planning consideration either. The principle of the golf club developments has all been established as been acceptable therefore the only issue is how the golf club pay for the works to be carried out. However where and how funds are raised is not a material planning consideration. Whilst the applicant has set out the advantages of the golf club proposals which include providing facilities for the community to use, Bedlington does have its own community room facilities and as such this is not a benefit that would outweigh the harm. In addition the community uses are also not recreational uses that have any association with the golf club uses. In officer's opinion facilities for yoga classes etc would in fact be better located in the settlement of Bedlington. Other benefits mentioned such as providing affordable housing and the coastal contribution are all standard matters too that the Council require to make an application acceptable and mitigate against the impact of the proposals. Whilst the applicant makes the case that development will safe guard the recreation use of the land in accordance with Local Plan Policy REC1 this also states the land should remain open which it will not. The economic benefits of house building are also standard and as expected with all house building and is not a reason that would outweigh the harm. Whilst the land sale will also help to fund the golf work improvements the club is already financially stable and whether they wish to compete with other golf clubs is not a material planning consideration. As set out below a section 106 has not been entered into to provide Education and Heath contributions and as such the proposal would also create additional unacceptable impacts on infrastructure. The Local Authority would therefore be subsidising a development that is not actually acceptable.

7.31 Given the above and in conclusion it is therefore considered that while this application for housing development on 'greenfield' golf course land is proposed as an enabling development to help finance the future growth of Bedlingtonshire Golf Club, for the above reasons set out it is not considered that the enabling argument is appropriate in this instance and therefore it cannot be supported. As such the application must therefore be assessed on its own merits against extant development plan policies and relevant material considerations including the NPPF and the emerging new Northumberland Local Plan and its associated evidence base, as it has been in paras 7.9 to 7.18 above. On this basis, while the golf club proposals are considered to be acceptable, the principle of this residential element of this application is considered to be contrary to existing and emerging planning policy relating to housing and settlement boundaries.

Section 106 requirements

7.32 When considering the use of planning obligations 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, and also stated under para 56 of the NPPF obligations can only constitute a reason for granting planning permission if they meet all of the following

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

- 7.33 Policy CF7 of the Local Plan states that where necessary to the grant of planning permission and in order to meet a planning need arising from a proposed development, the authority will apply planning conditions or seek to enter into a planning obligation with the developer. Circumstances where planning obligations to be negotiated will include where additional social, physical or environmental infrastructure is required to be provided in order for the development to go ahead.
- 7.34 The NPPF states Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 7.35 Policy INF 6 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) equally seeks to secure planning obligations in relation to any physical, social, community and green infrastructure and/or any mitigation and/or compensatory measures reasonably necessary to make a development acceptable in planning terms.
- 7.36 Policy REC7 of the Local Plan states that planning permission will not be granted for residential development unless the developer meets the anticipated need generated by the development for additional indoor and outdoor sports provision. If provision can more appropriately be met by either new or improved facilities off-site, the developer can enter into an agreement to make a financial contribution towards a communal fund established by the local planning authority for sports provision and improvement. Details of a commuted payments scheme will be set out in a Supplementary Planning Document
- 7.37 Policy REC8 advises that planning permission will not be granted for residential development unless the developer meets the anticipated need generated by the development for additional children's play facilities. Play areas should form an integral part of the design of the development taking into account local circumstances such as the type and scale of development proposed and the extent of existing provision in the area. They must be designed and located to provide for safe and constructive play and avoid nuisance to neighbouring dwellings. If provision can more appropriately be met by either new or improved facilities off-site, the developer can enter into an agreement to make a financial contribution towards a communal fund established by the local planning authority for pitch provision and improvement. Details of a commuted payments scheme will be set out in a Supplementary Planning Document.
- 7.38 NLP Policy INF6 reflects the above objectives.

Affordable Housing

- 7.39 Local Plan Policy H7 states that 'On all housing sites of more than 0.5 hectares or developments of more than 15 dwellings, the authority will negotiate for the provision of at least 30% of the total dwellings proposed to be in the form of affordable housing. The developer will need to satisfy the authority that affordable housing provided under the policy will remain affordable on subsequent changes of ownership or occupant.'
- 7.40 Northumberland County Council's Corporate Plan identifies the delivery of Affordable Housing as a key strategic priority. Affordable Housing applies the Affordable Housing definition as set out in the glossary of the National Planning Policy Framework (NPPF). A number of the adopted Core Strategies and Local Plans of the former Districts and Boroughs feature extant policies requiring the provision of an element of affordable housing from new development schemes, as H7 of the Wansbeck Local Plan does. Where there are extant policies, these require between 30% and 50% of homes on developments to be affordable. Some of these policies have become time expired while others are aged and informed by out of date evidence such as H7.
- 7.41 Evidence prepared to inform the emerging Northumberland Local Plan is a material consideration in the determination of planning applications. In particular, the Northumberland Strategic Housing Market Assessment Update (SHMA, June 2018) indicates a residual countywide affordable housing need for the period 2017-22. In the context of the evidence based housing requirement in the emerging Northumberland Local Plan for the plan period 2016-2036, this equates to a residual need for 17% of homes on new permissions to be affordable. To meet this identified need, Policy HOU6 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) (January 2019) sets out the emerging policy position, with different affordable housing requirements based on housing viability value areas. As this approach has not yet been tested through any form of public consultation, it will not be used in the determination of applications at this stage. As the planning application progresses, the affordable housing requirement may change as the Local Plan progresses towards submission, examination and adoption, as its policies gain greater weight, in accordance with paragraph 48 of the NPPF.

Housing Need

- 7.42 The mix and tenure of affordable homes on development sites should reflect our current housing needs evidence base. Sources are:
1. The 2018 Strategic Housing Market Assessment Update
 2. Homefinder statistics
 3. Information from other registered affordable home providers
 4. Information from Neighbourhood Plans
 5. Information from Local Housing Need Assessments where applicable

The Site and the requirement for Affordable Housing

- 7.43 In order to meet the affordable housing identified in the SHMA, a minimum of 17% of homes on new permissions will be expected to be provided as affordable housing products. A site of 49 dwellings will require an affordable contribution of 8 units. In line with the NPPF 10% of all affordable

units on site need to be a sale product so 5 units will either be DMV or shared ownership with the remaining 3 for affordable rent. It is recommended that the 17% requirement is met which means 5 units for DMV or shared ownership with the remaining 3 for affordable rent.

Education

7.44 It is noted that the NPPF at Paragraph 94 gives great weight the need to create, expand or alter schools and goes onto states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities.

7.45 Education have confirmed that the scheme will lie within the catchment areas of the following schools: Whitley Memorial CE Primary school (as it will be) – Phase; Reception to Year 6 and Bedlington Academy - Phase; Year 7 to Year 11, plus Sixth Form and to mitigate against the impact of the proposal a contribution of £162,000 has been calculated to be required with respect to the 9 primary age pupils that would be yielded by this development and a contribution of £120,000 has been calculated to be required with respect to the 5 secondary age pupils that would be yielded by this development. Under the Council's calculation method for assessing the impact on SEND educational infrastructure, the small number of dwellings proposed in this development would not have an impact and therefore no contribution towards SEND infrastructure would be requested should this development be approved. A total contribution of £282,000 is therefore requested in respect of this development for Education facilities.

Health Care

7.46 The National Planning Practice Guidance sets out that the healthcare infrastructure implications of any relevant proposed local development can be considered in determining planning applications.

7.47 The NHS Northumberland Clinical Commissioning Group has advised that due to the large numbers of new homes planned and under construction in Bedlington and the surrounding area, and the current capacity pressures on the GP practices, an expansion of infrastructure is needed.

7.48 In this case, a single payment of £34,800 is required from the developer. As the sum is relatively small, this should be on completion of the first dwelling.

Coastal Mitigation

7.49 As this is a proposed residential development within 10km of the coast, consideration has been given to the impact of increased recreational disturbance to bird species that are interest features of the coastal SSSIs and European sites and increased recreational pressure on dune grasslands which are similarly protected.

7.50 When developers apply for planning permission for new residential development within the coastal zone of influence, the Local Planning Authority has to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs)

and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites. The Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service which will be used to fund coastal wardens who will provide the necessary mitigation.

- 7.51 Contribution to the Coastal Mitigation Service (CMS) enables a conclusion of no adverse effect on site integrity to be reached when a planning application is subject to appropriate assessment, without the developer having to commission any survey or mitigation work. Similarly it enables a conclusion of no adverse effect on the interest features of coastal SSSIs. The contribution for major developments (10 or more units) is set at £600 per unit (applications submitted before April 2020) 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 payable on first occupation, or by unilateral undertaking payable prior to commencement for schemes that do not otherwise have S.106 agreements. In this particular case the application is a major development and as such £600 per unit is sought totalling £29,400.

Replacement Woodland Planting

- 7.52 The proposal will involve the clearance of a substantial amount of woodland, however to mitigate against this loss the County Ecologist has requested a compensatory woodland is planted, through the section 106. This would be provided elsewhere off site and details to be agreed.

Sport and Play

- 7.53 Given the nature of this application for outdoor sports facilities it would be unreasonable to request any contribution towards this. In terms of play provision too, the application was submitted at a time when the Council has sufficient pooled sources and as such only required a play contribution where this was requested for a specific scheme. As none was identified and the scheme is providing a good amount of open space close to the residential area it would also be unreasonable to request a play contribution.

Viability

- 7.54 The applicant has however submitted a viability assessment to show that the full section 106 costs cannot be paid as this would push the land value below the cost of the golf club improvement works and to show that the land price agreed with the Golf Club reflects valuation advice received from Knight Frank and will provide the Club with enough funds in terms of a land receipt to meet the costs of all the developments proposed at the golf club. As such it serves 2 purposes- to show how the land sale will cover the cost of the proposed works to support the enabling argument put forward. In addition it has also been submitted in order to show that the scheme would be unviable if all the section 106 contributions were to be paid. The applicant has agreed to the full affordable housing requirement, coastal mitigation requirement and compensatory woodland, but not to the Health and Education contribution requests.

7.55 This viability assessment has been examined by an independent surveyor who has however concluded that the scheme is deemed to be viable and as such the full section 106 costs can be paid.

7.56 The surveyor has confirmed that the rules regulating viability are now enshrined in the PPG (July 2018). There is a clear methodology set out to establish a benchmark land value, which has to be followed when assessing any type of viability (whether in the context of enabling development or not). He has set out that the applicant has not followed this guidance and whilst he accepts that a price has effectively been agreed for the site, this is not automatically the figure that should be used in the viability testing, as the PPG states under no circumstances can the price paid be justification for reducing planning policies. The rules of viability set out that benchmark value is undertaken and only where the residual land value is less, then planning policies should be subject to a reduction. In this case a benchmark value was not identified by the applicant. The independent surveyor therefore established a benchmark value and also derived at different appraisal cost figures for the development of the site but using both his and the applicant's appraisal he states both show the scheme to be viable. No allowance was also made for 'betterment' in the applicants appraisal too which would make the scheme more viable and among other concerns raised were that the land value in the applicants surveyors costs who advised on land value, does not allow for abnormal costs in this valuation and there is no reference to any planning policy requirements (affordable housing or S106 contributions) and the Planning Practice Guidance on viability (also para 014) says the cost implications of all relevant policy requirements (including planning obligations) should be taken into account. This is in the determination of the land value. These costs do not appear to have been factored into the applicant's land valuation which is contrary to the requirements of the viability guidance when determining benchmark land value. Given this the independent surveyor has therefore raised concerns also about the land valuation and stands by his conclusion that the benchmark land value (being the minimum price that a hypothetical landowner would be willing to accept to release the site for development) should be significantly lower than the price agreed for the property.

7.57 As such given the Independent Surveyors comments it is considered that a) the land sale could provide a significant cost towards the club house however the scheme would not be able to provide the full cost and b) the scheme would be viable and the developer can meet all of the section 106 costs. However as a section 106 is not in place for these contributions to be paid, nor those which the applicant agreed to contribute towards, the proposal is considered to be unacceptable for the following reasons:

1) In the absence of a completed planning obligation securing 8 affordable houses on site, the proposed development is contrary to Local Plan Policy CF7 and the NPPF.

2) In the absence of a completed planning obligation securing a financial contribution towards Education, the proposal would be unable to mitigate against the impact of the proposal on Education infrastructure, contrary to Local Plan Policy CF7 and the NPPF.

3) In the absence of a completed planning obligation securing a financial contribution towards Health facilities, the proposal would be unable to mitigate against the impact of the proposal on Health facility infrastructure, contrary to Local Plan Policy CF7 and the NPPF.

4) In the absence of a completed planning obligation securing compensatory woodland, the proposal would be unable to mitigate against the impact of the removal of the trees, which would be contrary to Local Plan Policies GP6, GP13, CF7 and the NPPF.

7.58 In terms of Coastal Mitigation the applicant has agreed in writing to contribute towards the coastal mitigation scheme as the site is within 7km of the coast. Based on this proposed mitigation, the County Ecologist has no objections to the scheme. However, as the legal agreement securing the contribution has not as yet been entered into, the Council is therefore unable to conclude at this time that there will be no adverse effect on site integrity in respect of this issue when undertaking the Habitats Regulations Assessment for this development. On this basis the application is not in accordance with the NPPF or Local Plan Policies GP10 and GP11. Whilst limited weight can be given to the Northumberland Local Plan (NLP) the proposal would also be contrary to Policy ENV2 which seeks to protect and enhance biodiversity and geodiversity. In terms of the NPPF, in the absence of secured mitigation, paragraph 177 is of relevance which states that the presumption in favour of sustainable development does not apply in such circumstances. It is important to note that Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 states that planning permission can only be granted when it has been concluded that a proposal will not have an adverse effect on the integrity of any European sites, and therefore it would be unlawful to grant planning permission in this instance.

Design and the Impact on the Character of the Area

7.59 As well as local plan policies the Government attaches great importance to the design of the built environment and, through the NPPF, recognises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Para 127 of the NPPF states;

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

7.60 Policy GP5 of the Wansbeck District Local Plan states that development must respect the character of the District's landscape proposals will be assessed in terms of: a) the siting, scale and design of buildings and materials; and b) the effect on distant views. Development which would have an adverse effect on the character or appearance of those areas which contribute most to the quality and distinctiveness of the local landscape will not be permitted. Such areas will include a) the coast b) the valley of the River Blyth c) the valley of the River Wansbeck d) the valleys of the Willow Burn and Sleek Burn.

7.61 Policy GP6 states that the authority will seek to protect trees, woodlands and hedgerows in the District and will encourage new planting, particularly of native species. Tree Preservation Orders will be made to protect trees of value judged to be at risk. When planning permission is granted for development, conditions will be applied, or planning agreements entered into to secure the protection of existing trees or hedgerows of value on the site and to secure and maintain new planting. Development which would result in the loss of healthy trees which make an important contribution to the Quality of the environment will not be permitted unless there are overriding social or economic to the community and compensatory off-site provision of landscape infrastructure is made. Healthy trees lost as a consequence of development shall be replaced with trees of an equivalent standard.

7.62 Policy GP30 advises that all proposed development will be assessed in terms of its visual impact. Developments which in visual terms would cause significant harm to the character or quality of the surrounding environment will be refused.

7.63 Policy GP31 states that when considering any proposed development the authority will require high standards of urban design to a) promote character in townscape and landscape and establish local identity; b) clearly define public and private spaces; c) encourage accessibility; d) make places with a clear image that is easy to understand, by providing recognizable routes, intersections and landmarks; e) encourage adaptability through development that can respond to changing social, technological and economic conditions; and f) promote diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs

7.64 Policy GP32 requires developers to incorporate a high standard of landscape treatment in their developments. When submitting their planning applications, developers will be required to demonstrate that: a) any existing landscape

features of value including trees, shrubs, hedgerows and ponds, will be retained, protected and used to advantage as part of the development; b) new landscape features will be introduced which enhance the visual quality of the development, reduce its impact and provide habitat for the district's wildlife; c) new landscape features to be introduced will be appropriate to the use and character of the development and its location; d) opportunities to create new public spaces and improve existing ones have been considered; and e) arrangements will be made for the future management and maintenance of all landscaped areas, whether public or private.

- 7.65 Policy GP35 states that Development proposals will be expected to have regard to the objectives of 'planning out crime' through the incorporation of measures such as: promotion of mixed-use development and other schemes that increase the range of activities that maximize the opportunities for surveillance: maximizing the amount of defensible space, which is controlled, or perceived to be controlled, by occupiers and a high standard of street lighting.
- 7.66 Policy H5 relating specifically to new housing developments states that these should be well designed. Developers will be expected to demonstrate in their proposals that: a) movement through the area will be safe, direct and attractive and has been designed to put the needs of non-motorised users before the needs of motor vehicles; b) the impact of motor vehicles has been minimized and streets have been designed for slow speeds; c) residents will enjoy reasonable standards of privacy, outlook and daylight; d) the new development will relate well to its surroundings; e) the new housing area will have its own distinctive character and identity; f) the arrangement of houses, streets and open spaces is clearly defined and easily understood; g) there will be an appropriate mix of dwelling sizes and types which takes account of local housing needs; h) external spaces have been planned as an integral part of the development and are well defined; i) adequate provision is made for gardens or other forms of private amenity open space; j) the layout and design of dwellings allows for future adaptation to meet changing household needs; k) the new development has been designed to conserve energy and water resources; and l) appropriate provision is made for those with reduced mobility.
- 7.67 Finally, Policy H6 states that new housing developments with an average net density of less than 30 dwellings per hectare will not be permitted unless it can be demonstrated that: a) particular characteristics of the site prevent higher densities from being achieved; or b) development at higher densities would have a significant adverse effect on the character of the surrounding area. Densities higher than 30 dwellings per hectare will be encouraged at places with good access to public transport.

- 7.68 There are 2 main elements to the proposal, each is considered separately.

Golf Club Improvements

- 7.69 In terms of the Golf club extension the massing of the existing Clubhouse is relatively low with a large pitched roof; the walls are clad in black stained horizontal timber boarding and the windows and doors are

generally in white PVC. Whilst the extension would appear as a modern addition to the club house the form of the extension would appear subservient still to the main club house. The extension addresses the existing form with a stepped clean lined rectilinear form over 3 Levels. The lowest level is a part basement built into the bankside to take advantage of the site contours and gives direct access to the first tee level. Overall the design is considered to be acceptable and the works would help to improve what is a very dated looking building. Whilst details of materials are to be agreed with the Local Planning Authority, the plans show walls potentially constructed in red brick and with timber boarding which would appear to compliment the surrounding natural environment. It is also considered that this extension and the extended main car park would not have any detrimental impact upon the landscape character of this site.

- 7.70 The driving range building and visitor building to be located on the wooded site would also be single storey with mono-pitched roofs constructed of what appears to be timber boarding. They would also have a modern appearance. It is considered the design of these is acceptable and their low lying roofs would help to negate against their impact on the landscape.
- 7.71 The driving range, driving range building, visitor centre and associated car park in this area would be located on a 10.52 ha plantation woodland. The works would involve the clearing of a vast area of trees for this development. While these developments would all be located within the plantation a significant number of trees would remain around the edge which will help to screen/ restrict views of it , especially from the adjacent Hartford Road. This would thus also importantly minimise the visual impact of the proposal when viewed from outside the site. Much of this woodland which is to be cleared though in this central zone is also of poor grade. The applicant is also proposing to plant trees at various places on the golf course and through a section 106 will provide off site planting elsewhere, to mitigate against the full loss of the trees on site. The below ground 'high wall' from the open cast mining activity also restricts the development potential. In order to manage this, the Visitor Centre has however been located nearer to the boundary avoiding the high wall impact. It's mono-pitch form however diminishes towards the boundary and it is set partly into the slope behind it, further reducing it's massing.
- 7.72 Overall it is therefore considered that the design of the golf club proposals and impact on the land scape is considered to be acceptable and in accordance with the NPPF and Local Plan Policies.

Residential

- 7.73 Having regard to the proposed layout whilst the Wansbeck Residential Development Design Guidance does not lay down specific separation distances to be achieved between properties it is considered that adequate privacy distances are achieved between properties and adequate garden depths achieved which would ensure a good amount of amenity space. The layout also would also ensure that the boundary trees and hedges around the site are protected in all places other than where the entrance to the site is proposed. In terms of design a few house types are proposed of different designs and sizes, although all 2 storeys. Whilst the design is not exceptional,

they are of a standard design with pitched/ hipped roofs to be constructed of brick and render. Some have more architectural features of interest than others, including small pitched roof and front projections. Overall the design and layout of the dwellings is simple but not out of character really with many new estates. It is considered their design is acceptable.

- 7.74 It is considered however that the proposal, would itself represent an imposing, incongruous and obtrusive urban built form of development and urban encroachment into this attractive undeveloped countryside/ rural landscape location, which would have a permanent detrimental impact upon the natural rural character and appearance of the site and its setting and would severely detract from the qualities of this attractive landscape. Furthermore, the siting of the properties would result in a greater propensity for associated paraphernalia and increase the perceived urbanisation of this area. This is especially significant given the large size of the site. As such it is also considered that the proposal by creating an imposing urban form of development would erode the qualities of this attractive landscape and have a detrimental impact upon the rural character and appearance of the site and landscape and setting of this particular part of the open countryside. As such the proposal therefore fails to accord with the advice set out in the NPPF on the basis that it fails to conserve and enhance the natural character and appearance of this part of the open countryside and it would adversely affecting the intrinsic character and beauty of the countryside.

Residential Amenity

- 7.75 All the proposals would not adversely impact upon the residential amenity currently enjoyed by the occupiers of any neighbouring properties or the proposed properties in terms of loss of light, outlook and privacy. In terms of impact on residential amenity, it is therefore considered subject to conditions that the proposals could be in accordance Local Plan Policies and the NPPF. Whilst limited weight can be given to the Northumberland Local Plan (NLP) the proposal would also accord with NLP Policy QOP 1 in this respect.

Ecology

- 7.76 In line with the requirements of Section 15 of the NPPF, which seeks to conserve and enhance the natural environment development proposals will be assessed in terms of their potential impact on the nature conservation interests of the site and on any habitats/species present. Development which would adversely affect protected species, or their habitats will not be permitted unless it can be demonstrated that the reasons for the proposed development outweigh any adverse effect on the species or their habitat.
- 7.77 Paragraph 175 of the NPPF seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken.
- 7.78 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. Policy GP10 of the Local Plan states that development proposals in or likely to affect sites designated as being of

national importance to nature conservation will be subject to special scrutiny. Development which is likely to have an adverse effect will not be permitted unless the authority is satisfied that: a) the reasons for the development clearly outweigh the nature conservation value of the site including its importance in relation to the national network of sites; and b) there are no reasonable alternative means of meeting the development need. Where development affecting a site is permitted, the use of conditions and/or planning agreements will be used to ensure the protection and enhancement of the site's nature conservation interest or to provide compensatory measures for any harm.

- 7.79 Policy GP11 advises that development likely to have an adverse effect on a site designated of local or regional importance to nature conservation will not be permitted unless the authority is satisfied that the benefits of the development clearly outweigh the nature conservation value of the site including its importance in relation to the local or regional network of sites. If development is permitted which would cause damage to the nature conservation interest of a site, such damage should be kept to a minimum. Planning conditions and/or agreements will be used to ensure compensatory measures are undertaken.
- 7.80 Policy GP6 states that the authority will seek to protect trees, woodlands and hedgerows in the District and will encourage new planting, particularly of native species. Tree Preservation Orders will be made to protect trees of value judged to be at risk. When planning permission is granted for development, conditions will be applied, or planning agreements entered to secure the protection of existing trees or hedgerows of value on the site and to secure and maintain new planting. Development which would result in the loss of healthy trees which make an important contribution to the quality of the environment will not be permitted unless there are overriding social or economic benefits to the community and compensatory off-site provision of landscape infrastructure is made. Healthy trees lost as a consequence of development shall be replaced with trees of an equivalent standard. Policy GP13 states that the value to biodiversity of all sites proposed for development will be considered when planning applications are determined whether or not they are designated sites. Particular importance will be attached to the protection of priority habitats and species in Wansbeck. Where proposals affect a habitat which contributes, or could potentially contribute, to a network of natural habitats the developer will be required to protect and enhance the network.
- 7.81 The development site is close to a number of designated sites and there is potential for protected species and biodiversity to be impacted upon by the development. A number of ecological reports have been submitted including red squirrel and great crested newt surveys and as such the County Ecologist has been consulted. Whilst the County Ecologist has previously objected to the scheme given the potential for impact, she now raises no objection to the proposal given the recommendations for mitigation put forward. The scheme will include the removal of many trees on site but as set out above this will be mitigated against through new planting on and off site which will be achieved through conditions and a Section 106. The woodland area that would be lost is also young woodland which does not have the same

ecological benefits that a mature and long established wood land would have and as such it is considered the woodland does not make as an important contribution to the quality of the area, and so its removal would not be contrary to Local Plan Policy GP6. Notwithstanding this the net loss of biodiversity will still be replaced in the compensatory woodland as required under the NPPF. Overall they now have no objection to the proposal subject to a number of conditions which will ensure that appropriate mitigation is in place against the impact of the proposal on biodiversity. Other conditions can also be attached to ensure retained trees are also protected throughout development. Subject to these the proposal would accord with Local Plan Policies GP13 , which is designed to safeguard protected species from harm and disturbance. This aligns with the NPPF at chapter 15 in terms of minimising impacts on biodiversity and providing net gains where possible. Whilst limited weight can be given to the Northumberland Local Plan (NLP) the proposal would also accord with Policy ENV2 which seeks to protect and enhance biodiversity and geodiversity.

Highways

- 7.82 Policy GP4 of the Wansbeck District Local Plan states that new development should be located to reduce the need to travel and to minimise journey length. It should be accessible to all users by a choice of means of transport including buses, walking and cycling.
- 7.83 Policy T2 advises that improvements to bus service provision in the District and the introduction of measures to make bus travel more attractive will be sought. Planning permission for developments which are likely to generate a significant number of journeys will not be permitted unless proposals include new or improved access by bus to the development including the provision of appropriate infrastructure and/or financial support for services. Developments which affect existing facilities for bus users will not be permitted unless the facilities are retained or enhanced as part of proposals.
- 7.84 Policy T3 states that improved facilities for cycling in the District will be sought. Cyclists will be provided for as part of highway and traffic management schemes and by developers as part of new developments. Provision will include the development of safe and convenient routes and cycle parking facilities. Developers will be required as a condition of planning permission to provide cycle parking as part of their developments.
- 7.85 Policy T4 advises that measures to assist and encourage walking will be sought including the development of a comprehensive network of footpaths and footways. Developers will be required to provide safe, convenient and pleasant routes for pedestrians.
- 7.86 Policy T6 states that when planning applications are determined, the volume and character of traffic likely to be generated by and attracted to the proposed development will be considered. Proposals will only be permitted if: a) the existing highway network is adequate to cope with any additional traffic resulting from the development or necessary improvement works will be carried out before the development goes ahead; b) the proposed arrangements for access and egress will allow the safe and efficient movement of vehicles; c) internal circulation arrangements will be able to

absorb vehicular traffic entering the site without queues forming on existing roads and will include measures to achieve safe traffic speeds; and d) adequate provision is made, in terms of safety and operating efficiency, for servicing and deliveries and for other heavy vehicles such as buses and emergency vehicles. A Transport Assessment, including a travel plan and an assessment of accessibility where appropriate, will be required to be submitted with proposals for development that will have significant transport implications.

- 7.87 Policy T5 advises that an environment which is accessible to all will be sought. Developers will be required to make appropriate provision for those with reduced mobility as part of their developments.
- 7.88 Finally Policy T7 of the Local Plan states that developers should make appropriate provision in their developments for the parking of motor vehicles and motorcycles. The appropriateness of proposed provision will be assessed in terms of the following: a) the scale and type of development; b) accessibility by public transport, on foot and by cycle; c) the potential for road safety and environmental problems as a result of increased parking demand in the area; d) the extent and nature of any parking restrictions in force on highways in the area; and e) county-wide maximum parking standards as set out in Appendix T3 (or any local standards published in a future Supplementary Planning Document).
- 7.89 Policies TRA1 and 2 of the emerging Local Plan reflect the above WDLP Policies.
- 7.90 Emerging Local Plan Policy TRA4 refers to new parking standards which are detailed in Appendix D of the Plan. These require a minimum of 2 in curtilage car parking spaces for 3 bed houses and 3 spaces for 4 bed houses. 1 visitor car parking space is also required for every 4 dwellings. However, it is not considered that these standards can be applied at the present time given the current status of the emerging Plan
- 7.91 Further detailed standards are laid down in Appendices T2 and T3 of the Wansbeck District Local Plan. These require at least 1 cycle parking space per dwelling. In terms of car parking the maximum requirement in a location such as this which is accessible by a choice of means of transport would be 2 spaces per dwelling.
- 7.92 The Council as Local Highway Authority have assessed the proposal based on information submitted, as well as on-site observations, local and national policy requirements and other material considerations. The Highway Authority examine the access arrangements, parking, provision for cycle parking and refuse facilities and ability for the road network to accommodate further traffic. Following assessment of the application documents as originally submitted the Local Highway Authority did request further information to be submitted. This additional information is with the Highway Authority currently and as such subject to the comments of the Local Highway Authority, the proposal could be acceptable in highways terms.

Flooding and Drainage

- 7.93 Policy GP22 of the Wansbeck District Local Plan states that developers are required to consider the risk to their development from flooding and erosion and to consider any possible impact of their development on flood risk or erosion elsewhere. Development in areas of flood risk will not be permitted unless a flood risk assessment has been carried out and it can be demonstrated that: a) there is no reasonable alternative development option available which would involve no risk or a lower risk of flooding; b) the development does not increase the risk of flooding elsewhere; and c) satisfactory protection measures can be carried out at the expense of the developer and maintained for the lifetime of the development.
- 7.94 Policy CF6 continues by stating that when considering all development proposals, the authority will take into account the availability of water supply, surface water drainage and sewage disposal facilities. Development will only be permitted if adequate services can be provided prior to occupation and without harm to the environment and existing uses. Sustainable drainage systems to control and manage surface water run-off should be incorporated into new development schemes. Proposals for the long term maintenance and management of such systems should be established at the planning application stage.
- 7.95 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).
- 7.96 Policies WAT3 and WAT4 of the emerging Local Plan likewise seek to ensure that developments are acceptable on drainage and flood risk grounds and incorporate sustainable drainage infrastructure where possible.
- 7.97 The application site lies wholly within Flood Zone 1 and therefore risk of flooding on the site is not considered to be high.
- 7.98 After reviewing the applicant's submitted information relating to flood risk and surface water drainage, the Council's LLFA team and Northumbrian Water raise no objections subject to conditions.
- 7.99 Overall, it is considered that the proposal is acceptable in relation to surface water drainage, flood risk and foul drainage and would be in accordance with the Wansbeck District Local Plan, the emerging Local Plan and the NPPF.

Land Contamination/ Stability/ Lighting

- 7.100 The NPPF Part 15, Paragraph 178 states that decisions should ensure that: a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Policy GP22a of the Wansbeck District Local Plan states that development on unstable land will not be permitted unless satisfactory measures to stabilise the site are carried out and done so at the expense of the developer. If risk from unstable ground conditions is suspected, developers will be required to submit a stability report with their planning applications to demonstrate that the site is

stable or can be made so and that the development will not affect land stability beyond the site.

- 7.101 Policy GP29 advises that where there is reason to suspect that land is affected by contamination, applicants for planning permission will be required to submit a report of a desk study of previous uses of the site and their potential for contamination. Unless the study clearly demonstrates that the risk to the proposed uses from contamination is acceptable, furthermore detailed investigations will be required before the application is determined to assess the risks and identify and appraise the options for remediation. Development will only be permitted if sustainable and feasible remediation solutions are adopted to secure the removal of unacceptable risk and make the site suitable for its new use. Contaminated materials should be decontaminated and re-used on site if this can be achieved economically and without unacceptable adverse impacts upon the environment or the health and safety of the community.
- 7.102 The application site is within a Coal Authority Development High Risk area. The Coal Authority have been consulted and whilst originally raised concerns had these addressed and as such raise no objection to the scheme now. The proposal therefore accords with Local Plan Policy GP22a.
- 7.103 Public Protection have however raised concerns regarding contamination that has not been addressed, stating 'The proposed driving range course and Nature trail is proposed to be situated on top of the Opencast site. Details should be submitted to the Local Planning Authority detailing how this proposal will affect any form of capping or deposited material below the existing surface. The contamination monitoring has recorded no contamination levels which require remediation. Remediation may be required to ensure that there is a suitable growing medium in soft landscaped areas.' The applicant has therefore been advised of the requirement to submit details of how the construction of the driving range and nature trail will impact on capping as this could bring contaminants to the surface. This has not been submitted. Without this information Public Protection are therefore unable to assess the impact on contaminants on potential users of the site, which would be contrary to Local Plan Policy GP29.
- 7.104 Public Protection have also raised concerns in relation to the submitted Lighting Assessment, asking for further justification as to why the light monitoring position LGT - F was selected and that the assessment has not considered the impact of lighting upon residential amenity of the proposed housing – as the clubhouse car park is proposed to be situated immediately adjacent to this location. This has not been submitted and without this information Public Protection are unable to assess the impact of lighting on residential amenity of the future occupiers of the proposed dwellings, which would be contrary to the NPPF.
- 7.105 Whilst Public Protection have raised initial concerns regarding air quality and ground gas, these concerns have been resolved and subject to conditions Public Protection are satisfied that in these respects the proposal is acceptable and in accordance with Local Plan Policies and the NPPF.

Archaeology

7.106 The archaeological desk-based assessment and geotechnical data submitted with the application confirms that the site has been disturbed by surface mining activity. As such the County Archaeologist has confirmed he has no objections to the application on archaeological grounds and that no archaeological work is recommended. The proposal is therefore considered to be acceptable in terms of impact upon archaeological remains, in accordance with the NPPF.

Other

7.107 Whilst not individually identified in the report, all the representations received have been taken into account in the consideration of the application. For the above reasons however it is considered the application should be refused permission.

Equality Duty

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

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

Human Rights Act Implications

The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights

legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision-making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8.0 Recommendation

That this application be REFUSED permission for the following reasons:

Reason

1) In the absence of a completed planning obligation securing a financial contribution to the Council's Coastal Mitigation Service or any other satisfactory alternative mitigation the proposed development will have an adverse effect on the integrity of the Northumbria Coast SPA and therefore approval of this application would be contrary to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017. Similarly it will have an adverse effect on the interest features of the Northumberland Shore SSSI and therefore approval of the application would be inconsistent with the LPA's duties under S.28G of the Wildlife and Countryside Act 1981 as amended. Overall the proposals would therefore be contrary to saved Policies GP10 and GP11 of the Wansbeck District Local Plan and the National Planning Policy Framework (NPPF).

2) In the absence of a completed planning obligation securing 8 affordable houses on site, the proposed development is contrary to Local Plan Policy CF7 and the NPPF.

3) In the absence of a completed planning obligation securing a financial contribution towards Education, the proposal would be unable to mitigate against the impact of the proposal on Education infrastructure, contrary to Local Plan Policy CF7 and the NPPF.

4) In the absence of a completed planning obligation securing a financial contribution towards Health facilities, the proposal would be unable to mitigate against the impact of the proposal on Health facility infrastructure, contrary to Local Plan Policy CF7 and the NPPF.

5) In the absence of a completed planning obligation securing compensatory woodland, the proposal would be unable to mitigate against the impact of the removal of the trees, which would be contrary to Local Plan Policies GP6, GP13, CF7 and the NPPF.

6) The residential development would represent unnecessary and unjustified development in the open countryside outside of the defined settlement

boundary, contrary to the National Planning Policy Framework, and Wansbeck District Plan Policy GP1.

7) The residential development would not maintain the predominantly open character of the area and it would not be incidental and beneficial to the recreational use of the land and as such it would be contrary to Wansbeck District Local Plan Policy Rec 1, as this allocates the land as open space.

8) The residential development would create an imposing urban form of development which would erode the qualities of this attractive landscape and have a detrimental impact upon the rural character and appearance of the site and landscape and setting of this particular part of the open countryside. As such the proposal therefore fails to accord with the advice set out in the NPPF on the basis that it fails to conserve and enhance the natural character and appearance of this part of the open countryside and it would adversely affect the intrinsic character and beauty of the countryside.

9) Insufficient information has been submitted to fully determine the impact of contamination on the end users of the proposed development. The proposal would therefore be contrary to the NPPF and Wansbeck District Local Plan Policy GP29 which seeks to protect the health and safety of users of proposed developments from unacceptable adverse impacts from contaminants.

10) Insufficient information has been submitted to fully determine the impact of lighting upon the residential amenity of occupiers of the proposed housing development. The proposal would therefore be contrary to the NPPF which seeks to protect residential amenity.

Date of Report: 09.10.2020

Background Papers: Planning application file(s) 19/02870/FUL