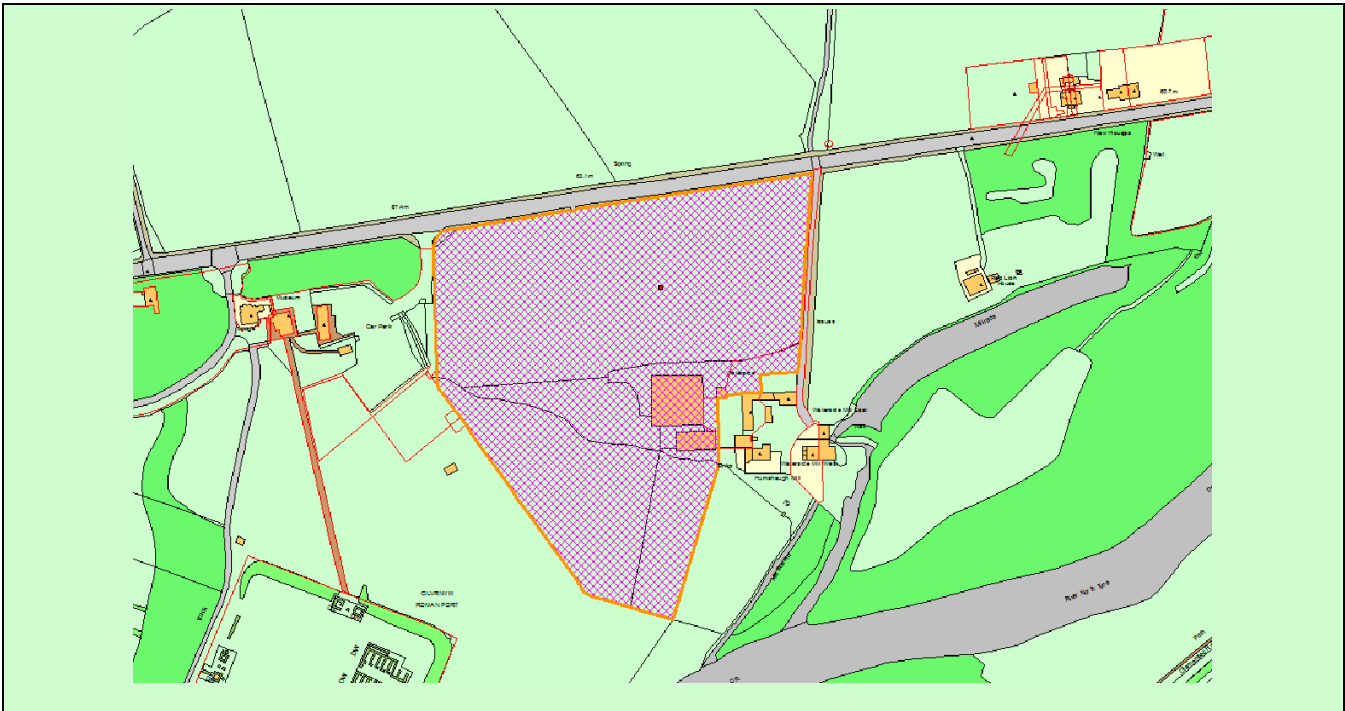


NORTHUMBERLAND

Northumberland County Council

Tynedale Local Area Council Planning Committee 13 February 2018

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| Application No: | 17/02810/COU | | |
| Proposal: | Change of use of agricultural land to an outdoor education / tourism use (D1) | | |
| Site Address | Land North West Of Waterside Farm, Humshaugh, Northumberland | | |
| Applicant: | Mr And Mrs Robson | Agent: | Ms Caitlin Newby Unit 3, Burn Lane Enterprise Hub, Burn Lane, Hexham Northumberland NE46 3HY |
| Ward | Humshaugh | Parish | Humshaugh |
| Valid Date: | 7 August 2017 | Expiry Date: | 2 October 2017 |
| Case Officer Details: | Name: Miss Joanne Wood Job Title: Senior Planning Officer Tel No: 01670 625551 Email: joanne.wood@northumberland.gov.uk | | |



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1. Introduction

1.1 This application has received 4 objections and an objection from Humshaugh Parish Council. Under the provisions of the Council's current Scheme of Delegation, in cases where applications are to be recommended for approval where there is an objection from a Town or Parish Council, they are referred to the Head of Service and the Chair of the relevant Planning Committee(s) for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be referred to the Tynedale Local Area Committee for determination.

2. Description of the Proposals

2.1 Planning permission is sought for the change of use of agricultural land to a tourism/education use (use class D2) at land west of Waterside Farm, Humshaugh.

2.2 It is understood from the additional information presented that at this stage the applicant is seeking permission purely for a change of use of the land, to enable them to use the site for the kind of demonstrations that they already carry out here, and at other sites, but for a period in excess of 28 days. The change of use would allow for an open-air museum, education and archaeological research centre. Staff will be dressed in authentic period clothing to provide a realistic and engaging experience of life from the Stone Age to Anglo-Saxon Britain. The applicant currently provides a similar service at many historical venues, parks, festivals and science fairs to provide a stimulating experience for visitors at public events, conducts tours of historic sites within Northumberland, and historical education sessions, which take the form of both in-school workshops or field trips to archaeological sites.

2.3 It is estimated that the enterprise would create 20 full time and 20 part time jobs. No form of built or infrastructure development will be necessary, or is proposed, as part of the current application. The applicant envisages then developing their plans for a more extensive visitor attraction and education centre on the site, and these plans would be the subject of a future application. The applicant has advised that 100,00 visitors per year are expected, averaging 40-50 per day during busy times of the year. Visitors are expected to be a mix of schools, groups and private individuals.

2.4 The site is comprised mainly of agricultural land. Some trees, walls and hedges border the northern, eastern and western boundaries. The river North Tyne runs approx north east to south west some 60m south of the site, and the Military Road (B6318) lies to the north of the site. The complex of agricultural buildings at Waterside Farm lies to the east, whilst the site is bounded to the west by Chesters Roman Fort. The application site is located within the open countryside, approximately 100 metres to the west of Chollerford, and is within the Green Belt.

3. Planning History

None relevant

4. Consultee Responses

| | |
|-----------------------------------|---|
| Humshaugh Parish Council | <p>Humshaugh Parish Council appreciates that this development is very low impact physically with the rural nature of the site remaining unchanged, and we can see there would be a number of benefits to the area in terms of tourism and increased spend that could benefit local businesses. We are also aware that English Heritage has given its support to the development.</p> <p>However as there is no indication of the extent of the activity and therefore how intrusive it could be on local residents (such as opening hours, anticipated volume of visitors) the Parish Council is submitting an objection at this stage. Councillors would want to see more information on how the site would operate, and, if planning permission is granted, would like to see conditions that restricted and managed this element so that residents are not adversely impacted.</p> |
| County Archaeologist | Comments awaited |
| County Ecologist | No objection, subject to conditions |
| Public Protection | No comments. |
| Highways | No objection, subject to conditions |
| Tourism, Leisure & Culture | No response received. |
| Lead Local Flood Authority (LLFA) | No comments |
| Environment Agency | No objection |
| Historic England | No objection, subject to condition |

5. Public Responses

Neighbour Notification

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|-------------------------------|---|
| Number of Neighbours Notified | 5 |
| Number of Objections | 5 |
| Number of Support | 0 |
| Number of General Comments | 0 |

Notices

Site Notice - Statutory publicity and affecting listed building and conservation area
21st August 2017

Press Notice - Hexham Courant 25th August 2017

Summary of Responses:

5 objections have been received on the following grounds:

- Loss of agricultural land
- Impact on highway safety
- Impact on ecology
- Flood Risk
- Impact on amenity

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=OUBFTBQS0JU00>

6. Planning Policy

6.1 Development Plan Policy

GD1 Locational policy setting out settlement hierarchy - Tynedale LDF Core Strategy
 BE1 Principles for the built environment - Tynedale LDF Core Strategy
 EDT1 Principles for economic development - Tynedale LDF Core Strategy

GD2 Design Criteria for development, including extensions and alterations - Tynedale Local Plan

GD4 Range of transport provision for all development - Tynedale Local Plan

NE27 Protection of Protected Species - Tynedale Local Plan

BE29 Development and preservation - Tynedale Local Plan

BE27 Regional and Locally important archaeological sites and settings - Tynedale Local Plan

BE28 Archaeological Assessment - Tynedale Local Plan

BE26 Hadrians Wall World Heritage Site - Tynedale Local Plan

TM4 New tourism development in the open countryside outside the Green Belt and the North Pennines AONB - Tynedale Local Plan

ED11 Small scale opportunities from new sites, redevelopment or conversions - Tynedale Local Plan

NE7 Green Belt - Tynedale Local Plan

BE22 Impact on setting of Listed Buildings - Tynedale Local Plan

6.2 National Planning Policy

National Planning Policy Framework (2012)

National Planning Practice Guidance (2014, as updated)

7. Appraisal

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

Principle of the development

Visual impact

Impact on amenity

Archaeology

Heritage impact

Highway issues

Protected Species

Principle of the development

7.2 The site lies within the open countryside where Core Strategy Policy GD1 limits development to the re-use of buildings, unless the development is specifically covered by other policies.

7.3 Policy TM4 of the Local Plan states that, in the open countryside, new tourism development will be permitted where the proposal can be absorbed into the landscape, it does not affect existing long standing community facilities or local job opportunities, and does not adversely affect the managed agricultural landscape. Policy ED11 of the Local Plan allows for the development of employment generating enterprises through the provision of new sites, where the development reflects the character of the settlement, does not have an adverse visual impact, and does not impact upon residential amenity. Policy EDT1 of the Core Strategy sets out principles for economic development and tourism, and seeks to support a buoyant and diverse local economy which recognises the importance of tourism to the District, and allow new tourist development where appropriate in order to increase the range, quality and type of facilities available to tourists.

7.4 The NPPF supports economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It goes on to give support to the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings; promote the development and diversification of agricultural and other land-based rural businesses; support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

7.5 It is estimated that the proposed enterprise would create 20 full time and 20 part time jobs, and would increase the range, quality and type of tourist facilities available in the area, and provide a valuable service for both visitors and local residents. The development would help secure jobs and prosperity, and would be compatible with the character of the application site and surroundings and local rural area, and would not impact on the landscape or amenities of adjoining land uses. The proposal would therefore accord with Local Plan Policies TM4 and ED11, Core Strategy Policy EDT1 and the provisions of the NPPF.

7.6 The application site is also located within the Green Belt, where development is strictly controlled. The NPPF states that the development of new buildings within the Green Belt is inappropriate. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, the NPPF goes on to list a number of exceptions to this. One of these exceptions is the provision of appropriate facilities for outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. This application proposes the change of use of the land to a tourist and education use, which would constitute a recreational facility. The application does not propose any buildings or structures, and as such would not impact upon the openness of the Green Belt in this location.

The proposal would therefore accord with the provisions of the NPPF, and also Local Plan Policy NE7, in this respect.

Visual impact

7.7 This application seeks consent for the change of use of the land only, and a further application would be required for the siting of any buildings or structures on the land, which would require detailed assessment of these elements. The land rises gradually to the north, and as such the site is not widely visible within the landscape when viewed from the north. When viewed from the south, the site is well screened by mature trees from most vantage points. From those viewpoints where it is visible, it would be viewed in the context of the built development at Waterside Farm and the car park and visitor centre at Chesters Roman Fort. The site is screened from the west by a dense area of woodland, and from the east, views of the site are interrupted by the built development at Chollerford and Humshaugh. As such, the site is only visible within the immediate landscape. As this application seeks only change of use at this stage, the visual impact of this is considered to be minimal, and as such the development is considered acceptable in this respect, in accordance with Policies GD2, ED11 and TM4 of the Local Plan and Policies BE1 and NE1 of the Core Strategy.

Impact on amenity

7.8 The nearest properties to the south east are located approximately 70 metres from the site. Other nearby properties are located to the east of the site at Chollerford, which are over 100 metres from the site. Following consultation, Public Protection had no comments to make on the proposed change of use. It is therefore considered that the change of use of the land would not have a significant adverse impact on any nearby occupiers, and to ensure this a condition would be attached to any grant of permission restricting the hours of use of the site. Providing such a condition is attached, the change of use would accord with Policies GD2, ED11 and TM4 of the Local Plan.

Archaeology

7.9 Following consultation, Historic England has advised that it considers that it is likely that this kind of wider and more extensive development will be able to be developed without harm to the significance of the historic environment. However, without knowing more about its form and potential archaeological impact they are not in a position to confirm that this is the case.

7.10 Historic England has no issue with the continued use of this area for demonstration activity, for which permission is sought under this application. However, in order to be content with the change of use application they wish to know that all further forms of development (including built structures, infrastructure, drainage, parking) will be subject to full planning controls, and that any change of use granted does not provide acceptance for the principle of such development in the future: whilst they would be happy to provide further advice to the applicant with a view to addressing the concerns set out in their original response, it is very important that the control provided by such full planning control is reserved to ensure that this is done. Therefore, as set out at paragraph 7.6, a condition would be attached to any grant of permission restricting the siting of any structures or building

on the site. Providing such a condition is attached, Historic England has advised that it would be supportive of the simple change of use application to be determined. The proposed change of use would therefore accord with Policies BE27, BE28 and BE29 of the Local Plan.

7.11 The comments of the County Archaeologist are still awaited, and Members will be updated on this consultee response at the Committee Meeting.

Heritage Impact

7.12 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. There is a Grade II* listed building and a Grade II listed structure to the west of the site at Chesters Roman Fort. However, these buildings and structures are well screened from the application site. The application proposes any the change of use of the land, and as such the proposal would not cause any harm to the setting of these listed buildings. As such, the proposal is considered acceptable, in accordance with Policy BE22 of the Local Plan.

Highway issues

7.13 The application site is located on the B6318, Military Road, to the west of Chollerford, which has existing footways. The nearest bus stop is adjacent to the site access, providing links to Haltwhistle, Hexham, and the wider area. The proposed development site is located on the B6318, Military Road, to the west of Chollerford, which has a 60 mph speed limit. The proposed development will utilise the existing access onto the adopted highway, which currently serves Chesters Roman Fort and associated facilities. Following consultation, the Highway Authority has advised that the use of this existing access is acceptable and appropriate for the current use and the addition of the proposed development.

7.14 Whilst it is considered that the development will create additional traffic to and from the site, the existing highway network can accommodate the proposed arrangements. To ensure highway safety, it is advised that details of the expected numbers of visitors and the times and frequencies of the proposed events are submitted prior to the development being brought into first use. Subject to a condition being attached to any grant of permission to secure this information, the proposal is considered acceptable in terms of impact on highway safety, in accordance with Policy GD4 and GD6 of the Local Plan.

Protected Species

7.15 The site is comprised mainly of agricultural land (arable and pasture) of low overall ecological value with a small watercourse (North Tyne tributary) running roughly west to east across the southern half of the site. Some trees, walls and hedges (some remnant) border the northern, eastern and western boundaries. The river North Tyne runs approx north east to south west some 60m south of the site and the Military Road (B6318) lies to the north of the site. The complex of agricultural buildings at Waterside Farm lies to the east with 3 buildings (2 modern steel and

sheet structures and one small stone barn) within the red line of the application boundary. No trees or hedges are proposed for removal in connection with the application, no permanent structures are proposed for erection on the site and no alterations to the existing buildings are proposed.

7.16 The ecological walkover survey submitted as part of the application identified some mammal tracks across the site, highlighted the value of the small watercourse and identified some limited potential for ground nesting birds. It is likely that bats and nesting birds will use the trees (and possibly the buildings) as nest/roost sites though there are no proposals for tree felling or alterations to the buildings. The site boundaries, hedge/tree lines and the line of the small watercourse are likely to be used by commuting and foraging bats, birds and other animals (which may occasionally include otter along the watercourse). No otter holts or badger setts were noted on the site with little potential for their creation on or in close proximity to the site. No other protected, threatened or notable habitats and/or species are likely to be affected by the proposals though the presence of the watercourse is noted. Following consultation, the County Ecologist has raised no objections to the proposals on ecological grounds are raised on condition that the avoidance, mitigation and enhancement measures detailed in the ecological report are carried out in full. Therefore, providing conditions requiring the development is carried out in accordance with this mitigation be attached to any grant of permission, the proposal is considered acceptable in terms of impact on protected species, in accordance with Policy NE27 of the Local Plan and the provisions of the NPPF.

8. Conclusion

8.1 The development would help secure jobs and prosperity, and would be compatible with the character of the application site and surroundings and local rural area, and would not impact on the landscape or amenities of adjoining land uses. The proposal would therefore accord with Local Plan Policies TM4 and ED11, Core Strategy Policy EDT1 and the provisions of the NPPF, and as such the principle of the change of use of the site is considered to be acceptable.

8.2 Due to the topography of the land and the existence of screening by trees and existing built development, the site is only visible within the immediate landscape. As this application seeks only change of use at this stage, the visual impact of this is considered to be minimal, and as such the development is considered acceptable in this respect, in accordance with Policies GD2, ED11 and TM4 of the Local Plan and Policies BE1 and NE1 of the Core Strategy.

8.3 It is considered that the change of use of the land would not have a significant adverse impact on any nearby occupiers, and to ensure this a condition would be attached to any grant of permission restricting the hours of use of the site. Providing such a comment is attached, the change of use would accord with Policies GD2, ED11 and TM4 of the Local Plan.

8.4 Historic England has raised no objection, providing a condition is attached to any grant of permission restricting all further forms of development (including built structures, infrastructure, drainage, parking) without seeking further permission from the LPA. Providing such a condition is attached, Historic England has advised that it would be supportive of the simple change of use application to be determined. The

proposed change of use would therefore accord with Policies BE27, BE28 and BE29 of the Local Plan.

8.5 Whilst it is considered that the development will create additional traffic to and from the site, the existing highway network can accommodate the proposed arrangements. To ensure highway safety, it is advised that details of the expected numbers of visitors and the times and frequencies of the proposed events are submitted prior to the development being brought into first use. Subject to a condition being attached to any grant of permission to secure this information, the proposal is considered acceptable in terms of impact on highway safety, in accordance with Policy GD4 and GD6 of the Local Plan.

8.6 The County Ecologist has raised no objections to the proposals on ecological grounds on condition that the avoidance, mitigation and enhancement measures detailed in the ecological report are carried out in full. Therefore, providing conditions requiring the development is carried out in accordance with this mitigation be attached to any grant of permission, the proposal is considered acceptable in terms of impact on protected species, in accordance with Policy NE27 of the Local Plan and the provisions of the NPPF.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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

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

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

Drawing No. 1106 SK 01: Indicative Plan
Drawing No. 1106 L 01: Site Location Plan

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

03. Development shall not commence until details of the size and type of events to be held at this location, and the frequency of which they will be held, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of highway safety and in accordance with Policy GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

04. The development shall not be occupied until details of the car parking area have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

05. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework.

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

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with Chapter 7 of the National Planning Policy Framework.

07. No development shall take place unless in accordance with the avoidance, and mitigation measures detailed within the ecological report (' Ecological Site Walkover, Waterside Farm, Chollerford, Northumberland' , Hadrian Ecology Ltd., 19.12.17) including, but not restricted to:

- adherence to timing restrictions;
- adherence to precautionary working methods;
- all plant, machinery, fuels, materials and chemicals to be located/stored not less than 50m from the watercourse on a drip tray with fuel and oils to be stored in a leak-proof housing;
- site activities in, on or near the watercourse to be limited and carried in such a fashion to prevent poaching along the banks of the stream;
- no activities to be carried out on site during the hours between sunset and sunrise;
- no artificial external lighting to be used on the site;
- no tents or other such temporary structures to be erected over identified mammal tracks;
- any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped;
- an updating ecological walkover survey to be carried out in the event that works/activities do not commence on or before the end of December 2019 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the LPA before development works/proposed use of the site commences.

Reason: To maintain the favourable conservation status of protected species in accordance with Policy NE27 of the Tynedale Local Plan and the National Planning Policy Framework.

08. No activities shall be carried out on the site between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.'

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

09. The hours of operation of the use hereby approved are restricted to 10:00 - 17:00.

Reason: In the interests of the amenity of the surrounding area and occupiers,, in accordance with Policies GD2, ED11 and TM4 of the Tynedale District Local Plan.

10. The application hereby approved allows the change of use of the site for the purposes of education/tourism only, and does not permit any form of development, including built structures, infrastructure, drainage or any additional parking without the full grant of planning permission of the Local Planning Authority.

Reason: To allow for the visual and archaeological impacts of such buildings and infrastructure to be properly considered, in accordance with Local Plan Policies GD2, ED11, TM4, BE27, BE28 and BE29, and Core Strategy Policies NE1 and BE1.

Background Papers: Planning application file(s) 17/02810/COU