



# Northumberland

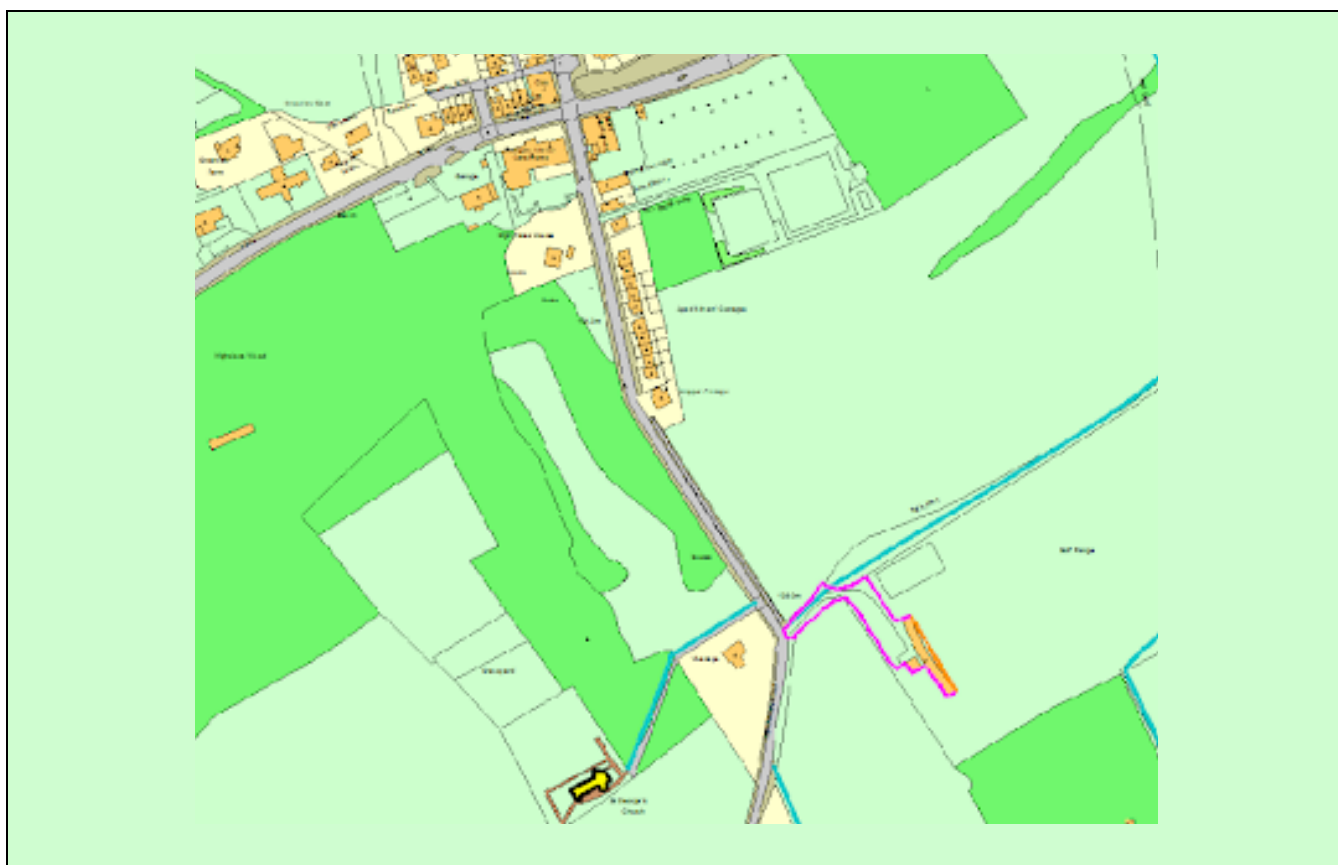
## County Council

### Tynedale Local Area Planning Committee

#### 11 December 2018

<b>Application No:</b>	18/03381/FUL		
<b>Proposal:</b>	Conversion and redevelopment of existing office building and attached golf bays to provide holiday accommodation		
<b>Site Address</b>	Golf Driving Range, Eastgate Bank, Mickley, NE43 7LS		
<b>Applicant:</b>	DPD Developments, The Hemmel, Hallyards Farm, Mickley, Stocksfield, Northumberland, NE43 7LR	<b>Agent:</b>	Mr Allen Creedy 28 Windsor Terrace, South Gosforth, Newcastle Upon Tyne, NE3 1YL
<b>Ward</b>	Stocksfield And Broomhaugh	<b>Parish</b>	Prudhoe
<b>Valid Date:</b>	25 September 2018	<b>Expiry Date:</b>	20 November 2018
<b>Case Officer Details:</b>	Name: Mr Daniel Puttick Job Title: Senior Planning Officer Tel No: 01670 622635 Email: daniel.puttick@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED planning permission.



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## **1. Introduction**

- 1.1 Under the Council's current Scheme of Delegation, applications may be presented to the relevant Local Area Committee where a request is received from a local Councillor within 21 days of the application appearing on the weekly list and is supported by bona fide planning reasons. In this instance, a request has been received from Councillor Dale for the application to be determined by members of the Tynedale Local Area Committee. This request has been made on the grounds that a similar application on the site was refused previously, and that the proposals comprise inappropriate development within the Green Belt.
- 1.2 During the course of the application the Council's Ecologist has indicated that direct consultation is required with Natural England. This is due to the site's location within proximity to the Close House Riverside SSSI. The rate of discharge from the site into the watercourse is such that consultation with Natural England is necessary in order to consider the potential downstream impacts arising from the development. Natural England have responded and indicate that they have no comments to make.

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

- 2.1 Planning permission is sought for the conversion and redevelopment of existing office building and attached golf bays to provide new holiday accommodation at the site on Eastgate Bank near Mickley. The application description alludes to conversion and redevelopment. On inspection of the site and proposed plans, it is considered that the proposals are more accurately described as comprising demolition of the existing driving range bays and redevelopment of the site to provide holiday accommodation. It is on this basis that the application has been assessed.
- 2.2 The redevelopment of the site would make use of the existing brick-built office building on the west facing elevation of the driving range bay, with the driving bays demolished and replaced with new structures of a similar footprint and arrangement. The redevelopment would provide five units of holiday accommodation. Four of these are proposed as smaller units, providing an open plan arrangement with kitchen, dining, living and bedroom areas, and separate bathroom and entrance lobby. These four smaller units would be centred on a larger unit, which would provide three bedrooms with separate kitchen, living, utility and WC facilities.
- 2.3 The new buildings would have pitched roofs, with prospect over the field to the east. Access to small covered external areas in the overhang of the roof would be provided from each unit via French doors. It is anticipated that materials would comprise a range of brick, render and interlocking roof tiles.
- 2.4 Access to the site would be taken directly from Eastgate Bank, utilising the track leading to through gates to the buildings as existing. The private access is proposed to be upgraded with vehicular access provided in accordance with Type 'B' of Northumberland County Council specification. Seven parking

spaces and one disabled bay would be provided formally in the site, with a 6m reversing space to the rear. Existing areas of hardstanding to the north retained, with the proposed site plan indicating that landscaping would be undertaken and would result in the removal of spoil heaps and other stored materials and structures. Foul sewage is proposed to be dealt with by disposal into the existing septic tank located in the North West corner of the site, with surface water to be disposed of by means of a sustainable urban drainage system discharging to soakaway.

- 2.5 The application site is located within open countryside to the south of Mickley, and east of Eastgate Bank. The site falls wholly within the Green Belt, and is an area where coal mining legacies pose a low risk to new development.

### 3. Planning History

**Reference Number:** T/93/E/350

**Description:** Golf Driving Range, (As amended by plans received 12.8.93).

**Status:** Permitted

**Reference Number:** T/940819

**Description:** Variation of roof from mineral felt to plastic coated steel profile sheeting

**Status:** Permitted

### 4. Consultee Responses

Highways	No objections subject to conditions to secure access, parking, surface water drainage and a construction method statement. Informatives about a need for separate agreements under the Highways Act are provided within their response
County Ecologist	No objections raised subject to conditions, however given the discharge rate will be likely to exceed 20m <sup>3</sup> /day to non-mains drainage consultation with Natural England is required
Prudhoe Town Council	Prudhoe Town Council support the application on the condition that the development on the footprint (of the existing buildings) is for holiday homes only
Countryside/ Rights Of Way	No objections
Natural England	Natural England have no comments to make

### 5. Public Responses

Neighbour Notification

Number of Neighbours Notified	12
Number of Objections	6
Number of Support	6
Number of General Comments	0

### Notices

Site Notice – Affecting a Public Right of Way, displayed on 4<sup>th</sup> October 2018

Press Notice – Published in the Hexham Courant on 4<sup>th</sup> October 2018

### Summary of Responses:

Eight letters of objection have been received from six members of the public in relation to this application. The following is a summary of the material considerations raised:

- the redevelopment offers temporary employment during construction and minimal employment on completion
- the application proposes holiday accommodation and a dwelling for the caretaker, which is not necessary
- the application site is within the Green Belt
- the development and potential number of visitors would impact upon the environment, surrounding habitat and wildlife
- the application is misleading and describes a change of use and conversion but plans appear to propose demolition and redevelopment
- the development would have a greater impact upon openness of the Green Belt and would be inappropriate
- an appeal for a site nearby indicated that the area was not a sustainable location for new housing

Six letters of support have been received in relation to this application. The following is a summary of the material considerations raised:

- the proposal would boost tourism in the region, and would provide financial benefits and employment locally
- on site management would be beneficial for security and preventing noise and other disturbance
- the new buildings are similar in size and shape to the original structures
- the site does not overlook any dwellings and any impact on adjoining properties would be minimal, and less than the lawful driving range use
- the design of the proposed building within the footprint of the existing buildings is good

The above is a summary of the comments. Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PFE8UWQSJ6V00>

## **6. Planning Policy**

### **6.1 Development Plan Policy**

Tynedale LDF Core Strategy (2007)

GD1 Locational policy setting out settlement hierarchy  
BE1 Principles for the built environment  
NE1 Principles for the natural environment  
EDT1 Principles for economic development  
EDT4 Tourism development in the open countryside

Tynedale Local Plan (2000, Policies Saved 2007)

GD2 Design Criteria for development, including extensions and alterations  
GD4 Range of transport provision for all development  
GD6 Car parking standards outside the built-up areas  
NE7 New buildings in the Green Belt  
NE8 New dwellings in the Green Belt  
NE27 Protection of Protected Species  
NE33 Protection of Trees, Woodlands and Hedgerows  
NE34 Tree felling  
NE37 Landscaping in developments  
TM8 Tourist accommodation outside existing settlements  
TM15 Occupancy condition on self catering tourist accommodation  
BE11 Conversion of existing buildings in the open countryside  
CS27 Sewerage

### **6.2 National Planning Policy**

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

### **6.3 Other Documents/Strategies**

Northumberland Local Plan – Regulation 18 Consultation Draft (July 2018)

## **7. Appraisal**

### **7.1 The main issues in the determination of this application include:**

- principle of the development and Green Belt
- design and landscape impact
- amenity
- highways safety
- ecology
- sewerage
- rights of way

## *Principle of the Development and Green Belt*

- 7.2 Notwithstanding comments raised in relation to this application concerning the proposed development and potential for one of the units to provide for a permanent residential dwelling, the application proposes holiday accommodation and it is on this basis that the application has been assessed. As indicated within the description of the proposal, the site involves an element of conversion and re-use of the existing office building at the site, with the driving range bay proposed to be demolished and redeveloped to provide new buildings linked with the existing stone and timber office building present on site.
- 7.3 The application site is located within open countryside, falling wholly within the Green Belt. Policy GD1 of the Tynedale Core Strategy provides a settlement hierarchy and spatial distribution aims with which new development is expected to conform. The Policy indicates that within open countryside locations such as this, development is generally limited to the re-use of existing buildings unless otherwise allowed under alternative policies in the development plan.
- 7.4 Development within the Green Belt is strictly controlled. The site is occupied by an existing driving range building, with an attached office building constructed of stone with timber cladding, and extensive hardstanding to the immediate north. The land associated with, immediately adjacent to the buildings which have an open east-facing elevation, is currently green and undeveloped. This would remain so and would provide for outdoor areas, with the existing fence line retained. The land further east outside of the existing enclosure would have provided space into which golf balls would be hit. These areas are grassed and undeveloped, and there is a clear delineation within the site following the erection of fences as to where the curtilage of the driving range and bays ends.
- 7.5 The NPPF defines previously developed land as "land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure". The land within the red line is indicative of this arrangement, and in this respect the site can be regarded as being previously developed, however the NPPF is clear that it should be assumed that the whole of the curtilage should be developed.
- 7.6 Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

- 7.7 In this instance the development has been designed so as to utilise the broad footprint of the existing building. The existing office building would be retained, with the driving range bays demolished and replaced with new buildings linking with the existing structure on site. Though the new buildings would include pitched roofs, their height would not be significantly more than the existing driving range bays. The width of the new development would be no greater than existing, with the buildings not intruding any further into the undeveloped area of the site than at present. The development has sought to minimise the impact on the openness of the Green Belt by ensuring the parameters of the existing buildings are not significantly exceeded, with the application form indicating a reduction in the overall floorspace from 325 sq m to 290 sq m. The effect of this is such that, whilst the buildings may appear different and would be enclosed, the development would not have a greater impact on the openness of the Green Belt and would not conflict with the purposes of including land within it.
- 7.8 Policy NE7 of the Tynedale Local Plan refers to development within the Green Belt, stating that planning permission will only be granted for the construction of new buildings for a limited number of purposes. The redevelopment of this site does not meet any of these purposes as set out in NE7. However, this policy is not in accordance with the NPPF, and so is attributed little weight, with Paragraph 145 of the Framework not restricting previously developed sites to those identified within development plans.
- 7.9 It is considered that the proposal would not be inappropriate within the Green Belt and would be acceptable in accordance with the aims of Paragraph 145 of the NPPF, which allows for the redevelopment of previously developed land provided that there is no greater impact on openness or upon the purposes of including land within the Green Belt.
- 7.10 Policy EDT1 of the Core Strategy sets out principles for economic development and tourism, which are to:
- a) Support a buoyant and diverse local economy, which recognises the importance of tourism to the District.
  - b) Ensure sufficient land is available to meet the employment requirements of the District.
  - c) Protect existing and allocated employment land for its intended purpose.
  - d) Protect and enhance existing tourist facilities and infrastructure, whilst also allowing new tourist development where appropriate in order to increase the range, quality and type of facilities available to tourists.
- 7.11 Policy EDT3 of the Core Strategy sets out that small-scale employment development involving new buildings will be permitted in the open countryside where it forms part of a farm diversification scheme or the redevelopment or extension of an existing employment site. Policy EDT4 of the Core Strategy sets out that new build tourist accommodation other than small-scale camping, caravan and chalet development will not be permitted in the open countryside.

It also states that other small scale new build tourism development will be permitted in the open countryside, identifying 'other small scale new build tourism development' means buildings akin to domestic or small agricultural buildings no larger than about 500m<sup>2</sup> in total floorspace.

- 7.12 Policies EDT3 and EDT4 of the Core Strategy do allow for small-scale development involving new buildings within open countryside, with Policy EDT4 specifically setting out that small scale new build tourism development will be permitted in the open countryside. The preamble to the policy sets out the definition of small scale for the purposes of the Core Strategy, providing a threshold no larger than about 500m<sup>2</sup>. Whilst the proposal involves five units of accommodation, one of which is larger than the others, the overall floor area is below the 500m<sup>2</sup> threshold set out in preamble to Policy EDT3, and as such would be regarded as constituting small scale tourism development of the type permitted by Policy EDT4 of the Tynedale Core Strategy.
- 7.13 As a matter of principle, therefore, the provision of small scale tourism development through the redevelopment of the site, including the conversion of the existing office building and construction of new buildings to replace the driving range structure, would be acceptable in line with Policy EDT4 of the Tynedale Core Strategy.

#### *Design and Landscape Impact*

- 7.14 For reasons broadly set out above, the development would not lead to any significant impact upon the character of the landscape in this location. The footprint of the existing buildings would be broadly maintained, with the overall height and form remaining similar to the existing buildings on site. The proposed site plan indicates that existing structures, spoil heaps and mounds would be removed from the land and would be grassed, consistent with the land surrounding the main driving range building. The development is considered to be an appropriate response to the site and would be reflective of development in the surrounding area.
- 7.15 Precise details of materials have not been provided as part of this application, and as such it is considered necessary to ensure that these are provided prior to the construction of new buildings in the interests of ensuring a satisfactory appearance upon completion. Subject to accordance with such conditions, the design is considered to be acceptable and would be reflective of the layout of the existing buildings on site which, although of no architectural merit, have been in place for some time and are well known in the local area, particularly given the route of the public right of way along the northern boundary. The proposal would be acceptable in design terms and would not result in any significant adverse impact upon the landscape, and as such is considered to be in accordance with Policies BE1 and NE1 of the Tynedale Core Strategy, Policy GD2 of the Tynedale Local Plan and the aims of the NPPF.

#### *Amenity*

- 7.16 The application site is located on the eastern side of Eastgate Bank, outside of Mickley. There are existing dwellings in the vicinity of the site, including one



opposite the entrance to the site, a number at the former Hallyards Farm which has been redeveloped to provide new housing and those further south on Eastgate Bank towards High Mickley.

- 7.17 The proposed development would be situated broadly on the same footprint as the existing buildings on site, and would not be positioned closer to nearby residential dwellings. The scale would be comparable to that of the existing buildings on site. For these reasons, coupled with the separation distances between the site and nearby properties, the redevelopment would not result in any greater impact on the amenity of local residents in respect of overlooking, an overbearing impact or loss of sunlight.
- 7.18 The lawful use of the site is as a stand alone driving range, with the structure divided into fifteen bays. Though separate from any golf club, during its peak the site provided a valuable leisure and recreational facility in the local area. In more recent years the use of the site has decreased, reflected somewhat in the submission of a planning application for redevelopment of the site. The proposed development would provide five units of holiday accommodation, of which four would be small in scale.
- 7.19 Seven car parking spaces are proposed to be provided, consolidating informal arrangements on site. Taking account of the lawful use, it is considered that the redevelopment would reduce the number of trips associated with the site when compared to the former use. It is acknowledged that there would be an increase in traffic to and from the site, owing to the fact that the lawful use has ceased to operate for some time. Notwithstanding this, the number of vehicular movements would not be considered to give rise to undue disturbance for local residents, taking account of the number of properties in the local area and vehicular movements around the site.
- 7.20 The site is set back from Eastgate Bank, and with existing mature hedgerows and trees it is not considered that there would be any significant harm to the amenity of local residents arising from noise or other disturbance associated with the provision of small scale holiday accommodation such as this. The existing floodlighting would be removed from the building, which would reduce the potential for light pollution from the site and provide further benefit for the amenity of local residents in this respect.
- 7.21 Overall, the impact upon the amenity of local residents would not be harmful. This is reflected in the absence of objection from local residents in relation to the impact upon amenity of residents and properties nearby. For these reasons, the proposal is considered to be acceptable and would accord with the aims of Policy GD2 of the Tynedale Local Plan and the NPPF.

#### *Highways Safety*

- 7.22 The application has been assessed by the Highways Development Management Team, who raise no objections to the proposed development subject to conditions. These conditions seek to secure highway upgrades to the private access track, alongside an upgrade to the access to Eastgate Bank which would be upgraded to Northumberland County Council Type C specification for large vehicle use. Additional conditions also seek to secure

the implementation of cycle and vehicle parking, surface water drainage and access prior to occupation of the development, with a construction method statement sought prior to the commencement of any development. Further off-site highway works are considered necessary to link the site with existing footpath networks, and would be secured under a Section 278 Agreement. The provision of cycle storage in this instance is not considered necessary to make the development acceptable, given the abundance of space within the site and connectivity with surrounding areas from public rights of way and upgrades sought to the pedestrian network in the immediate vicinity of the site.

- 7.23 Subject to accordance with such conditions, the development would provide adequate and upgraded access to the site, sufficient parking to meet the anticipated demand and appropriate turning areas within the site. Refuse facilities are provided for, with ample space in the site to provide cycle storage. The additional trip generation from the site can be accommodated within the highway network, and with the measures outlined above secured by condition the effect of the development on the safety of the highway network would not be adverse. The proposal would accord with Policies GD4 and GD6 of the Tynedale Local Plan in this respect, and would be acceptable in accordance with the aims of the NPPF.

### *Ecology*

- 7.24 The application site comprises open sided driving range structures, linked to a solid building constructed of stone with roof tiles and timber cladding. These buildings are surrounded by woodland, and is in an area where there are recordings of protected species of wildlife. The Ecological Appraisal submitted with the application has been assessed by the Council's Ecologists, who have requested additional information relating to discharge rates for foul and surface water, as well as further information to clarify a number of points regarding potential for presence of and impact upon protected species.
- 7.25 Additional information has been provided and has been considered by the Council's Ecologists, who are satisfied that there would be no adverse impact on the biodiversity value of the site or wider area, and that protected species can be safeguarded by use of appropriately worded conditions.
- 7.26 Additional information has, however highlighted that the estimated flows discharging to septic tank at full occupancy would exceed 20 cubic metres per day. Whilst it is accepted that the average would fall below this owing to seasonal variation in occupancy levels, at times the flow would exceed an established threshold of 20 cubic metres. The site is within an Impact Risk Zone for the nearby Close House Riverside SSSI, which is a botanical SSSI Calaminarian (metallophyte) Grassland on the banks of the River Tyne, downstream from the application site. Owing to the discharge rates and proximity to the SSSI, additional consultation with Natural England is required. Natural England have assessed the application and advise that they have no comments to make. They have highlighted standing advice which has been taken into account in the assessment of this application.

- 7.27 The Council's Ecologists have no objections to the proposed development, subject to there being no objections raised by Natural England and subject to conditions. On this basis, the proposal is considered to be acceptable in accordance with the aims of Policy NE1 of the Tynedale Core Strategy, Policy NE27 of the Tynedale Local Plan and the aims of the NPPF.

#### *Sewerage*

- 7.28 The application proposes to utilise the existing foul sewage system within the site, with the application documents indicating capacity is available and would operate in the existing manner. Whilst the use of septic tanks is less desirable than other means, the system is existing and as such the development would accord with the aims of Policy CS27 of the Tynedale Local Plan, which indicates that development will only be permitted where foul sewers and sewage treatment works of adequate capacity and design are available or will be provided in time to serve the development.

#### *Rights of Way*

- 7.29 A public right of way utilises the private track leading from Eastgate Bank to the site, and runs along the northern and eastern boundaries of the site with links north and south to Mickley Square and High Mickley respectively. The Council's Public Rights of Way Officers have commented on the proposal, raising no objections subject to there being no works which disturb the path surface without the consent of the Council as the Highway Authority. The application proposes highway upgrades which would affect the surface of the public right of way. No details have been provided as part of this application, however this would be resolved through an agreement under Section 184 of the Highways Act with the Council as the Highway Authority separately to this application. This would therefore ensure that the Highway Authority retain control over the surface materials, with agreement reached between interested parties outside of the planning system.

#### *Other Considerations*

- 7.30 A number of objections and letters of support suggest that one of the units of accommodation is proposed to be used as a permanent residential dwelling. Prudhoe Town Council have indicated their support to the scheme is on the basis that the proposed development is on the footprint of the existing buildings and that the units are for holiday accommodation only. In response to comments from the Council's Ecologists, the applicant's agents have confirmed that the proposal is for five units of holiday accommodation, and does not propose permanent residential accommodation.
- 7.31 There are some understandable concerns locally about the construction of new permanent residential dwellings in the local area, which is within open countryside outside of identifiable settlement limits and within the Green Belt. There have been recent applications for housing near to the site which have been refused on the basis that they are not in sustainable locations for new permanent residential dwelling, with appeal decisions upholding this view.

- 7.32 Given the description of the development and clarification provided by the applicant's agent, the application is assessed on the basis that it provides holiday accommodation. Policy TM15 of the Tynedale Local Plan states that planning permissions for self-catering tourist accommodation, both purpose-built and conversions, will only be granted subject to the imposition of conditions and/or the seeking of a planning obligation to ensure that the property is not used as a full time residence. In this instance, given the site is not considered to be suitable for permanent residential dwelling it is necessary to impose such a condition to ensure that the development is used only for the purposes of holiday accommodation.

#### *Equality Duty*

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

#### *Crime and Disorder Act Implications*

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

#### *Human Rights Act Implications*

- 7.35 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 7.36 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 7.37 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an

independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

- 8.1 In summary, the principle of redeveloping the site to provide small scale holiday accommodation would accord with Policy EDT4 of the Tynedale Core Strategy. Whilst the site is in the Green Belt, it constitutes previously developed land and its redevelopment would not be considered to have a greater impact on the openness of the Green Belt or the purposes of including land within it. There are no objections from the Highway Authority, subject to conditions, and there is support from Prudhoe Town Council on the proviso that the development occurs on the footprint of the existing buildings and provides holiday accommodation only. There are no objections from Natural England or the Council's Ecologists, subject to conditions. Overall, the proposal is considered to be an acceptable scheme which would provide holiday accommodation in the area and lead to an improvement in the appearance of the site. The application is viewed to be acceptable in accordance with the aims of policies in the development plan, and the NPPF.

## **9. Recommendation**

That this application be GRANTED permission subject to the following conditions:

### 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 permitted shall, except where modified by conditions elsewhere in this permission, be carried out in complete accordance with the following approved plans:

1. A1-001 Location Plan
2. A200-01 Rev 02 Proposed Site Plan
3. A220-01 Rev 02 Proposed Floor Plan
4. A240-01 Rev 03 Proposed Roof Plan
5. A230-01 Rev 05 Proposed Elevations and Sections

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

03. This permission relates to the provision of holiday accommodation. The holiday units shall:

(i) be occupied for holiday and tourism purposes only;

(ii) shall not be occupied as a person's sole or main place of residence, and;

(iii) the owners/operators shall maintain an up-to-date register of the names of all occupiers of the holiday let and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: In the interests of protecting residential amenity and to ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation in a location that would otherwise be unsustainable, in accordance with Policy TM15 of the Tynedale District Local Plan.

04. Notwithstanding the detail contained within the application, no development shall commence beyond damp proof course level of the buildings hereby permitted until precise details for the materials to be used in the exterior of the development have been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be constructed using the approved materials.

Reason: To ensure the satisfactory appearance of the development upon completion of the works, in accordance with Policy GD2 of the Tynedale Local Plan.

05. No development shall commence until a Construction Method Statement, together with a supporting plan, has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the demolition/ construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

06. Prior to occupation of the development hereby permitted, details of surface water drainage to manage run-off from private land shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run-off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

07. The development shall not be occupied until details of the proposed highway works, including construction of footway between the site access leading northward along Eastgate Bank connecting with the existing footway network, together with associated works, have been submitted to and approved in writing by the Local Planning Authority. The buildings shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

08. Notwithstanding the detail contained within the application, the development shall not be occupied until the existing vehicular access has been widened and reconstructed in accordance with NCC Type C Access specification, precise details which shall first be submitted to and approved in writing by the Local Planning Authority.

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

09. The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with Policy GD6 of the Tynedale Local Plan and the aims of the National Planning Policy Framework.

10. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report (Preliminary Ecological Assessment Mickley Driving Range, Mickley, Stocksfield, Naturally Wild Ltd., Version R1, 16.7.18) including, but not restricted to, adherence to timing restrictions; adherence to external lighting recommendations and in accordance with Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Engineers, 2008; 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 survey to be carried out in the event that works do not commence before the end of June 2020 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 any works commence.

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

11. No development /demolition or removal of vegetation shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds 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.

12. No development shall be carried out other than in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations British Standards Institution, 2012.

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with Policy NE1 of the Tynedale Core Strategy.

13. A detailed landscape planting plan, including the planting of locally native species of local provenance, shall be submitted to and approved in writing by the local planning authority. Thereafter, the landscaping and planting scheme shall be completed prior to first occupation of the holiday accommodation hereby approved and subsequently maintained for a minimum of two years to ensure full establishment of plants, including replacement of any fallen or failed trees and shrubs.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site, in accordance with Policy NE37 of the Tynedale Local Plan.

#### **Informatives:**

1. The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works. All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them. Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works. In the unlikely event of protected species such as bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away. Further information about protected species and the law can be found on the Natural England website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk)



**Background Papers:** Planning application file(s) 18/03381/FUL