



# Northumberland County Council

**Your ref:**

**Our ref:**

**Enquiries to:** Lesley Little

**Email:** Lesley.Little@northumberland.gov.uk

**Tel direct:** 01670 622614

**Date:** Thursday 1 June 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **CASTLE MORPETH LOCAL AREA COMMITTEE** to be held in **COUNCIL CHAMBER - COUNTY HALL** on **MONDAY, 12 JUNE 2023** at **4.00 PM**.

Yours faithfully

Dr Helen Paterson  
Chief Executive

**To Castle Morpeth Local Area Committee members as follows:-**

**D Bawn, J Beynon (Chair), L Darwin, S Dickinson, R Dodd, L Dunn, J Foster (Vice-Chair (Planning)), P Jackson, V Jones, M Murphy, G Sanderson, D Towns (Vice-Chair) and R Wearmouth**



**Dr Helen Paterson, Chief Executive**  
County Hall, Morpeth, Northumberland, NE61 2EF  
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# AGENDA

## PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

### 1. MEMBERSHIP AND TERMS OF REFERENCE

The committee is asked to note the following membership and terms of reference for the Castle Morpeth Local Area Council which were agreed by Council on 17 May 2023.

The membership is made up of the county councillors who represent the 13 electoral divisions in the Castle Morpeth area:

**Chair : J Beynon**

**Vice Chair: D Towns; Vice Chair (Planning): JD Foster**

**Quorum - 4**

Conservative	Labour	Bedlington Independents	Liberal Democrat	Independents (Non-grouped)
D. Bawn	S.J. Dickinson			
J. Beynon	L. Dunn			
L.R. Darwin	J.D. Foster			
R.R. Dodd	M.B.Murphy			
P. Jackson				
V. Jones				
H.G.H. Sanderson				
D. Towns				
R. Wearmouth				

### Terms of reference

- (1) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (2) To advise the Cabinet on budget priorities and expenditure within the Area.
- (3) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (4) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti- social behaviour and environmental crime.
- (5) To consider and refer to Cabinet any issues from a local community

perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme

(6) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.

(7) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.

(8) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.

(9) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.

(10) To make certain appointments to outside bodies as agreed by Council.

(11) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.

(12) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.

## 2. PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS

(Pages 1  
- 2)

## 3. APOLOGIES FOR ABSENCE

## 4. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b. Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.

- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact [monitoringofficer@northumberland.gov.uk](mailto:monitoringofficer@northumberland.gov.uk). Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

**5. DETERMINATION OF PLANNING APPLICATIONS** (Pages 3 - 6)

To request the committee to decide the planning applications attached to this report using the powers delegated to it.

***Please note that printed letters of objection/support are not circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>***

**6. 22/04089/FUL** (Pages 7 - 22)  
**Erection of 2x detached two bed bungalows**  
**56 Station Road, Stannington, Northumberland, NE61 6NH**

**7. 23/00433/FUL** (Pages 23 - 34)  
**Proposal for widening and surfacing of access track**  
**Land East Of The Retreat, Cresswell, Northumberland**

**8. 22/03226/COU** (Pages 35 - 56)  
**Change of use of land adjacent to N1 Golf Centre for up to 20No plots to be used for the siting of accommodation (micro holiday cabins) in association with the existing business.**  
**Morpeth Archers Site, Tranwell Woods, Morpeth, Northumberland**  
**NE61 6AQ**

**9. APPEALS UPDATE** (Pages 57 - 70)

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

**10. URGENT BUSINESS**

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

**IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:**

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

<b>Name:</b>		<b>Date of meeting:</b>	
<b>Meeting:</b>			
<b>Item to which your interest relates:</b>			
<b>Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):</b>			
<b>Are you intending to withdraw from the meeting?</b>		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

## Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

## Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body



	<p>where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> <li>i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</li> </ul>
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\* ‘director’ includes a member of the committee of management of an industrial and provident society.

\* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
  - i. exercising functions of a public nature
  - ii. any body directed to charitable purposes or
  - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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## Northumberland County Council

### PROCEDURE AT PLANNING COMMITTEE

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#### A Welcome from Chairman to members and Members of the public present

Welcome to also include reference to

- (i) All Mobile phones should be switched to silent and should not be used during the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking
- (iii) If any Member leaves and then returns to the room during consideration of an application then they may not take any further part in that application.

#### B Record attendance of members

- (i) Democratic Services Officer (DSO) to announce and record any apologies received.

#### C Minutes of previous meeting and Disclosure of Members' Interests

#### D Development Control

##### APPLICATION

##### Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

##### Planning Officer

Updates – Changes to recommendations – present report

##### Public Speaking

Objector(s) (up to 5 mins)

Local member (up to 5 mins)/ parish councillor (up to 5 mins)

Applicant/Supporter (up to 5 mins)

NO QUESTIONS IN RELATION TO WRITTEN REPRESENTATIONS OR OF/BY LOCAL COUNCILLOR

**Committee members' questions to Planning Officers**

Chairman to respond to raised hands of members as to whether they have any questions of the Planning Officers

**Debate (Rules)**

Proposal

Seconded

DEBATE

Again Chairman to respond to raised hand of members as to whether they wish to participate in the debate

- No speeches until proposal seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/Refuse/Defer

**Vote(by majority or Chair's casting vote)**

- (i) Planning Officer confirms and reads out wording of resolution
- (ii) Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)



# Northumberland

## County Council

### CASTLE MORPETH LOCAL AREA COMMITTEE

12 JUNE 2023

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### DETERMINATION OF PLANNING APPLICATIONS

#### Report of the Director of Planning

Cabinet Member: Councillor C Horncastle

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#### Purpose of report

To request the Local Area Council to decide the planning applications attached to this report using the powers delegated to it.

#### Recommendations

**The Local Area Council is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.**

#### Key issues

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

### DETERMINATION OF PLANNING APPLICATIONS

#### Introduction

1. The following section of the agenda consists of planning applications to be determined by the Castle Morpeth Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

#### The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:
  - Decision makers are to have regard to the development plan, so far as it is material to the application

- Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
  - Applications should always be determined on their planning merits in the light of all material considerations
  - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
  - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
- Necessary
  - Relevant to planning
  - Relevant to the development permitted
  - Enforceable
  - Precise
  - Reasonable in all other respects
4. Where Councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

### **Important Copyright Notice**

- 6 The maps used are reproduced from the Ordnance Survey maps with the permission of the Controller of Her Majesty's Stationery office, Crown Copyright reserved.

### **BACKGROUND PAPERS**

These are listed at the end of the individual application reports.

### **IMPLICATIONS ARISING OUT OF THE REPORT**

**Policy:** Procedures and individual recommendations are in line with policy unless otherwise stated

<b>Finance and value for Money:</b>	None unless stated
<b>Human Resources:</b>	None
<b>Property:</b>	None
<b>Equalities:</b>	None
<b>Risk Assessment:</b>	None
<b>Sustainability:</b>	Each application will have an impact on the local environment and it has been assessed accordingly
<b>Crime and Disorder:</b>	As set out in the individual reports
<b>Customer Considerations:</b>	None
<b>Consultations:</b>	As set out in the individual reports
<b>Wards:</b>	All

Report author : Rob Murfin  
 Director of Planning  
 01670 622542  
 Rob.Murfin@northumberland.gov.uk

## **APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES**

### **Chair**

Introduce application

### **Planning Officer**

Updates – Changes to Recommendations – present report

### **Public Speaking**

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

### **Member's Questions to Planning Officers**

### **Rules of Debate**

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 10 minutes
- Amendments to Motions
- Approve/ refuse/ defer

### **Vote (by majority or Chair casting vote)**

Chair should read out resolution before voting

Voting should be a clear show of hands.



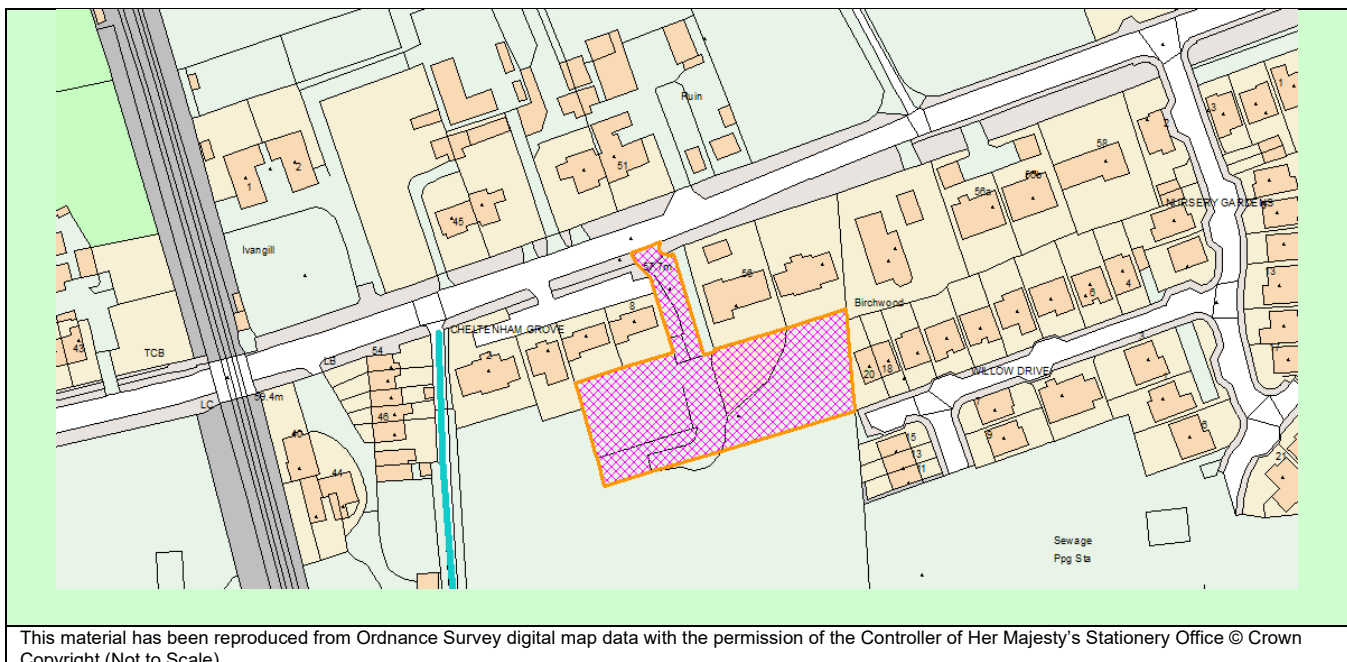


## Northumberland County Council

### Castle Morpeth Local Area Council Committee, Monday 12th June 2023

<b>Application No:</b>	22/04089/FUL		
<b>Proposal:</b>	Erection of 2x detached two bed bungalows		
<b>Site Address</b>	56 Station Road, Stannington, Northumberland, NE61 6NH		
<b>Applicant:</b>	Linda Coleman 56 Station Road, Stannington, NE61 6NH	<b>Agent:</b>	Mr Peter Dunn Town Hall Chambers, High Street East, Wallsend, NE28 7AT
<b>Ward</b>	Ponteland East and Stannington	<b>Parish</b>	Stannington
<b>Valid Date:</b>	28 November 2022	<b>Expiry Date:</b>	13 June 2023
<b>Case Officer Details:</b>	Name: Mr Ryan Soulsby Job Title: Senior Planning Officer Email: Ryan.Soulsby@northumberland.gov.uk		

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



## 1. Introduction

- 1.1 Following the receipt of 21no objections from neighbours and members of the public, the file was referred to the director of planning and the chairs of the Local Area Council committee. It was confirmed within their response that the

application should be determined at Local Area Council committee by members.

## 2. Description of the Proposals

- 2.1 Planning permission is sought for the construction of 2no dwellings on land adjacent to 56 Station Road, Stannington.
- 2.2 The submitted details indicate the construction of 2no bungalows with attached double garages. Both units would measure 18.02 metres by 10.82 metres, incorporating a pitched roof that measures 6.04 metres to the ridge. Materials used in the construction of both properties would consist of red facing brickwork, slate roof tiles and white UPVC fenestration.
- 2.3 Both properties would benefit from outdoor amenity space with hardstanding located to the site frontage allowing for further parking provision and manoeuvring space. Access to the site would be via an existing access off the C363 public highway with upgrade works required to ensure the existing access is to NCC's construction standards.
- 2.4 The application site currently consists of gravelled hardstanding, material storage and grassed agricultural land.

## 3. Planning History

N/A

## 4. Consultee Responses

Stannington Parish Council	<p>The council objects to this application.</p> <p>The Stannington Neighbourhood Plan states that: Objective 5: "Ensure each settlement in the Plan area maintains its identity, with a recognition in the Plan of the differences between the settlements, and the need to reflect local character in design. The proposal is not in character and is urbanisation. It also says...Policy 10: Design and Character Development proposals will be expected, where relevant, to demonstrate how they will: a) respect the context of the site and its surroundings, rural character, historic setting and context; The development proposed is a continued and unwelcome urbanisation of the settlement.</p> <p>Finally the plan states that: Stannington Station has a different character to Stannington village. It is a dispersed, rural settlement, with open views across to the countryside. It will be important to maintain these open views to retain the agricultural feel of the settlement, something which was considered to be highly important to people living in that area. This rural context will be an important factor to consider in the design of any future development proposals. Stannington Station is in the Green Belt. This development blocks open</p>
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	views of the countryside and whilst not directly in the greenbelt impinges upon it and is considered harmful.
Highways	No objection subject to recommended conditions.
Natural England	No objection.
County Ecologist	No objection subject to recommended conditions.
The Coal Authority	No objection.
Lead Local Flood Authority (LLFA)	No objection subject to recommended conditions.
Public Protection	No objection subject to recommended conditions.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	16
Number of Objections	21
Number of Support	0
Number of General Comments	0

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee

### Notices

No Site Notice Required.

No Press Notice Required

### Summary of Responses:

21no objections were received against the application from neighbouring residents and members of the public. Concerns were raised regarding:

- Overdevelopment of Station Road, Stannington;
- Impacts on character of the area;
- Application site is not sustainable;
- All future development upon Station Road must be blocked.
- 

Material planning considerations raised within these objections, and comments from Stannington Parish Council, shall be assessed within the below appraisal.

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=RKQ9ZLQSKVW00>

## 6. Planning Policy

### 6.1 Development Plan Policy

Northumberland Local Plan 2016 - 2036 (Adopted March 2022) (NLP)

Policy STP 1 - Spatial strategy (strategic policy)

Policy STP 2 - Presumption in favour of sustainable development (strategic policy)

Policy STP 3 - Sustainable development (strategic policy)

Policy STP 4 - Climate change mitigation and adaption (strategic policy)  
Policy STP 5 - Health and wellbeing (strategic policy)  
Policy HOU 2 - Provision of new residential development (strategic policy)  
Policy HOU 5 - Housing types and mix  
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 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 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 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

Stannington Parish Neighbourhood Plan 2017 – 2031 (Made plan 11 September 2018) (SPNP)

Policy 10 – Design and character

## 6.2 National Planning Policy

National Planning Policy Framework (2021) (NPPF)  
National Planning Practice Guidance (2022) (NPPG)

## **7. Appraisal**

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises of the Northumberland Local Plan (NLP) and the Stannington Parish Neighbourhood Plan (SPNP). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

- Principle of development;
- Design and visual character;
- Residential amenity;
- Highway safety;
- Ecological impacts;
- Land contamination, stability and ground gas;
- Drainage and flooding.

### **Principle of development**

7.2 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located.

Stannington is recognised as a service village where a proportionate level of housing will be supported in comparison with the existing settlement.

- 7.3 The application site is located within the Green Belt inset boundary with policy STP 1, part e) stating that sustainable development will be supported within such boundaries. The application proposes the construction of 2no residential dwellings within an area which is characterised by residential properties and a cluster of commercial rural enterprises. The application site is identified as being located within a sustainable location due to the proximity of certain services and public transport links that allow travel to neighbouring towns.
- 7.4 The principle of development is therefore recognised as acceptable, in accordance with both local and national planning policy.

### **Design and visual character**

- 7.5 Policy HOU 9 of the NLP states that residential development will be supported where they “*contribute to a sense of place*” and “*are constructed to a high quality of design*”. Policy QOP 1 is also relevant within this assessment and states that development proposals should “*make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography*”.
- 7.6 Policy 10 of the SPNP mirrors the provisions as set out in policies HOU 9 and QOP 1 of the NLP, outlining that development must “*respect the context of the site and its surroundings, rural character, historic setting and context*”. Proposals should “*demonstrate high quality design and where appropriate, innovative design*”.
- 7.7 The NPPF at paragraph 126 recognises good design as a key aspect of sustainable development with paragraph 130 noting developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.8 Stannington Station Road has an identifiable rural character with residential dwellings located upon both sides of the public highway. Nevertheless, open views are achievable in certain areas of the sprawling agricultural land and countryside to the north and south which ultimately contributes to the character of the area. Due to the siting of the proposed dwellings to the rear of existing properties and the lack of clear visibility of the site from public viewpoints, the proposed development would not impact upon these open views and would therefore not be harmful to the rural character as identified by policy 10 of the SPNP.
- 7.9 The submitted details indicate the construction of 2no single storey dwellings constructed in red brick, slate roof tiles and white UPVC framed fenestration. The proposed material palette is consistent with existing properties within the locality and would assist in retaining the character of the immediate and wider area. The scale and massing of both units, including the attached double garages, is appropriate for the size of the plot, ensuring that adequate outdoor amenity space and hardstanding areas can be accommodated within the curtilage of the site for both units. Fenestration has been appropriately sited upon external elevations in a uniform pattern. To retain a level of control over

the design of the dwelling, it would be appropriate for the LPA to include a condition upon the granting of any planning permission that requests precise details of all materials be provided to the LPA prior to construction works above damp-proof course level.

- 7.10 Minimal details regarding the provision of soft landscaping within the curtilage of the plots and the wider site has been provided. To ensure accordance with policy QOP 4 of the NLP, it would be appropriate for the LPA to include a condition requiring the submission of a landscaping plan following the commencement of development upon site to ensure the site is appropriately landscaped. Subject to these conditions, the LPA are satisfied that the proposed development represents good design in accordance with policies HOU 9 and QOP 1 of the NLP, policy 10 of the SNP and the NPPF.

### **Residential amenity**

- 7.11 Policy QOP 2 of the NLP states that *“development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area”*. Policy 10 of the SPNP details that development proposals must *“secure a good standard of amenity for all existing and future occupants of land and buildings”*.
- 7.12 Paragraph 130, part f) of the NPPF states that planning decisions should ensure that developments *“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”*.
- 7.13 As part of the application assessment, a site visit was undertaken by the planning officer to assess the application site and surrounding area. Stannington Station Road is characterised by existing residential development with an evident housing mix consisting of large detached properties, terraced properties and bungalows. Existing bungalows and two storey properties are located to the north of the application site. Appropriate separation distances would exist between the proposed 2no dwellings and existing properties located to the north and east of the application site. The dwellings have been appropriately orientated to ensure there would be no direct overlooking to existing properties with fenestration sited to ensure there would be no privacy concerns. The proposed scale and massing of the properties would also ensure no significant overshadowing or loss of outlook would occur.
- 7.14 Consultation was undertaken with the Environmental Protection team with a noise assessment provided to the LPA for the application site. To ensure residents aren't adversely impacted by train or road traffic noise, further information is required in relation to acoustic glazing. This information can be secured via planning condition. The LPA therefore consider the proposed development to accord with both local and national planning policy in relation to residential amenity.

### **Highway safety**

- 7.15 Policy TRA 2 of the NLP states that developments will be expected *“provide effective and safe access and egress to the existing transport network”* and

*“include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or highway safety”*. Policy TRA 4 is also relevant within this assessment and states that *“an appropriate amount of off-street vehicle parking to serve new development shall be made available in safe, accessible and convenient locations”*.

- 7.16 Paragraph 111 of the NPPF states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.
- 7.17 Consultation was undertaken with highways development management (HDM) who raised no objection to the application proposals subject to recommended conditions. The proposed double garages for both units provide appropriate parking provision in accordance with the parking standards set out within appendix E of the NLP whilst appropriate manoeuvring space is to be provided via hardstanding to the building frontages. An existing access to the site off the C363 public highway will be utilised with HDM requiring this access to be upgraded in line with NCC standards. An appropriately worded condition has been recommended to secure these upgrade works.
- 7.18 A condition has also been recommended to ensure the submission of a construction method statement and plan prior to the commencement of development on site. This would ensure highway safety throughout the construction phase on site. Subject to conditions recommended by HDM, the LPA consider the proposed development to accord with policies TRA 2 and TRA 4 of the NLP and the NPPF in relation to highway safety.

### **Ecological impacts**

- 7.19 Policy ENV 2 of the NLP states that developments should minimise their impact upon biodiversity and geodiversity and where possible, secure net gains. These provisions are mirrored within paragraph 174, part d) of the NPPF.
- 7.20 Consultation was undertaken with the local authority’s ecologist who raised no objection to the application proposals, subject to recommended conditions. The site has no statutory or non-statutory ecological designation and includes no habitats of principal importance. There is scope for biodiversity enhancements to be incorporated upon the site through the provision of bat and bird boxes as well as improved soft landscaping and conditions can secure such upgrades.

### **Land contamination, ground stability and ground gas**

- 7.21 Policy POL 1 of the NLP details that *“Development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts”*.

- 7.22 Paragraph 183 of the NPPF states *“Planning policies and decisions should ensure that:*
- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);”*
- 7.23 Consultation was undertaken with The Coal Authority (TCA) due to the application sites located within a development high risk area. A coal mining risk assessment (CMRA) forms part of the application submission and TCA concur with the recommendations of the report which state the risks posed by potential unrecorded shallow coal mine workings to be negligible, specifically owing to both no coal seams being encountered and the significant depth of superficial deposits on the site. TCA therefore have no objection to the application proposals on the grounds of land stability.
- 7.24 Consultation was also carried out with the local authority’s environmental protection team who, following the submission of additional information, raised no objection to the application proposals subject to conditions. Appropriately worded conditions have been recommended to ensure the site is made safe from any potential contamination and that ground gas protection is incorporated within the development to protect the end user from the ingress of ground gas. The LPA are satisfied that the inclusion of these conditions would ensure accordance between the scheme and policies POL 1 and POL 2 of the NLP and the NPPF.

### **Drainage and flooding**

- 7.25 Policy WAT 4 of the NLP states that sustainable drainage systems (SuDS) will be a requirement for any development in order to separate, minimise and control surface water run-off.
- 7.26 Consultation was undertaken with the lead local flood authority (LLFA) team who, following the submission of further information, raised no objection to the application proposals on flood risk and drainage grounds. A drainage statement has been provided which sets out how drainage shall be dealt with at the application site and LLFA are satisfied that the proposals would not adversely impact upon on or off site flooding impacts. The proposals therefore accord with policy WAT 3 of the NLP and the NPPF in relation to drainage.

### **Equality Duty**

- 7.27 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**



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

### **Human Rights Act Implications**

7.29 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.

7.30 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.

7.31 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. 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 permitted shall be carried out in complete accordance with the approved plans and documents. The approved plans and documents for this development are:-

- 1) Location plan drawing no. SR/01
- 2) Proposed plans & elevations unit 2 drawing no. SR/05/p

- 3) Proposed site plan drawing no. SR/03
- 4) Proposed plans & elevations drawing no. SR/04/p
- 5) Drainage statement MD1676/rep/001 Rev A

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

03. Notwithstanding any description of the materials in the application, prior to construction above damp-proof course level of the proposed dwellings, precise details of the materials to be used in the construction of the external walls, roof and fenestration of the building, including the detached outbuilding, shall be submitted to, and approved in writing by, the Local Planning Authority. Development must not be undertaken above damp-proof course level until approval from the Local Planning Authority has been provided in writing. All roofing and / or external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development from the outset in the interests of amenity and in accordance with the provisions of in accordance with the provisions of policy QOP 1 of the Northumberland Local Plan and the National Planning Policy Framework.

04. Prior to the construction of the dwellings hereby approved, a detailed landscape planting plan, including the planting of locally native species of local provenance, shall be submitted to and agreed in writing with the LPA with the planting to be fully implemented during the first full planting season (November - March inclusive) following the commencement of development. The approved landscaping shall be maintained for a minimum period of five years and replaced on a like for like basis if any aspect was to fail within this period.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site in accordance with policies QOP 1, QOP 4 and ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

05. Prior to the development being brought into use or continuing in use the applicant shall submit a verification report to the Local Planning Authority for its written approval. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved remediation strategy. Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that risks from land contamination are minimised in accordance with policy POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

06. If during development contamination not previously considered is identified, then an additional written remediation strategy regarding this material (prepared by a competent person) shall be submitted to and approved in writing by the Local Planning Authority.

No building shall be occupied until a remediation strategy has been

submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

“Competent Person” has the same definition as defined within the National Planning Policy Framework (NPPF) ISBN 978-1-5286-1033-9.

Reason: To ensure that risks from land contamination are minimised in accordance with policy POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

07. No foundation works shall be commenced until a report detailing the proposed protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the standard required in BS8485:2015+A1:2019 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), or to a minimum of Characteristic Situation 2 level of protection, has been submitted to and approved in writing by the Local Planning Authority.

The report shall specify to the Local Planning Authority’s satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling.

The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

Reason: In order to prevent any accumulation of ground gas, which may be prejudicial to the health & amenity of future occupiers in accordance with policy POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

08. No building shall be brought into use or occupied until the applicant has submitted a verification report to the approved methodology in Condition 7. The verification report shall be approved in writing by the LPA.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of future occupiers in accordance with policy POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

09. Prior to the occupation of any habitable dwelling, the applicant shall submit to the Local Planning Authority for approval in writing, a statement with evidence of how the service ducts were sealed.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties in accordance with policy POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

10. Prior to the commencement of the development, precise technical

specifications of the acoustic glazing and acoustic ventilation to be installed in all windows in the development, shall be submitted to and approved in writing by the Local Planning Authority. The acoustic glazing and ventilation scheme shall achieve internal noise level guidelines of:

- 35dB LAeq,16hr in living rooms and bedrooms during the day (0700-2300)
- 30dB LAeq,8hr in bedrooms during the night (2300-0700)
- 45dB LAMax in bedrooms during the night (2300-0700).

The approved acoustic glazing and ventilation scheme shall be implemented in full before the development is brought into use. The approved works shall be retained for the life of the development unless agreed in writing with the local planning authority.

Full calculations of the internal reverberant noise levels provided by the selected building envelope, glazing and ventilation options shall be provided.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with policy POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

11. Prior to commencement of development a scheme to dispose of surface water from the development shall be submitted to and approved by the Local Planning Authority. This scheme shall:
- i. Restrict discharge from the development to 3 l/s Qbar for all rainfall events up to and including the 1 in 100 year event.
  - ii. Adhere to the general principles as set out in the drainage strategy from 'MD1676/rep/001 Rev A PROPOSED DRAINAGE STATEMENT'
  - iii. Provide attenuation on site for the 1 in 100 year plus climate change event.
  - iv. Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment.
  - v. Provide details of the adoption and maintenance of all surface water features on site. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the effective disposal of surface water from the development.

12. To ensure there is a net gain in ecological value a minimum of one bat box and one bird box shall be built into each of the new dwellings following best practice guidance. Prior to first occupation or use of the building a verification report and/or photographic evidence will be submitted to and approved by the LPA demonstrating that this work has been done.

Reason: To conserve and enhance biodiversity in line with the National Planning Policy Framework and Local Plan Policy ENV2.

13. I. All trenches and excavations deeper than 0.30m left open overnight should have a ramp installed at an angle of no more than 45 degrees to allow the escape of entrapped mammals.  
II. Gaps shall be created and retained in all boundary fences between dwellings to allow the passage of small mammals such as hedgehog. Gaps shall measure

no less than 13cm by 13cm.

Reason: To enhance the site for a species of principle importance under Section 41 of the NERC Act, in accordance with Local Plan policy ENV2 and the National Planning Policy Framework.

14. The development shall not be occupied until the car parking area indicated on the approved plans, 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 the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.

15. The development shall not be occupied until the full details of the vehicular access upgrade work have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

16. Prior to occupation, details of surface water drainage to manage run off from private land have been submitted to and approved 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 highway safety, the amenity of the area and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

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

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

18. Development shall not 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 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 and Policy TRA2 of the Northumberland Local Plan.

### **Informatives**

- 1) The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.
- 2) The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.
- 3) Great Crested Newts have full protection under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). In view of the nearby Great Crested Newt records, care should be taken when clearing the ground prior to development. If evidence of Great Crested Newts is found during development, work should stop immediately and advice on the best way to proceed sought from a qualified ecologist (<https://cieem.net/i-need/finding-a-consultant/>).

Sensitive vegetation clearance and phased vegetation clearance can be undertaken to make habitats less suitable for newts within areas which are soon to be cleared/soil stripped. Best practice is to do this in phases: first cut any scrub and other tall vegetation to a height of c.250mm with all arising's removed; 48hrs later cut remaining vegetation to a height of c.150mm. Soil strip can progress 48hrs after the second phase of vegetation clearance.

Storage of materials/waste is best undertaken on areas of hard standing or bare ground (for example areas which have been subject to the clearance measures identified above).

Waste is best stored in skips or removed off site as soon as possible to avoid creating refuges which could be colonised by newts. If possible storage areas, waste material and site compounds are best placed in areas not adjacent to highly suitable off-site or retained habitat which may act as a source of colonisation by newts. Mounds of soil can be compacted around the base to avoid creating refuges which newts could occupy. Site working should avoid the creation of temporary waterbodies which may be attractive to newts. For this purpose, excavations can be backfilled as soon as possible following creation, or fitted with ramps to allow a means of escape (for example a wooden plank set at an angle no steeper than 45°).

- 4) 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 2017 (as amended). 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.

Amphibians, reptiles and mammals such as hedgehog and red squirrel also have legal protection, with great crested newt afforded additional protection under the Conservation of Habitats and Species Regulations 2017 (as amended). 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 chance of encountering protected species during works.

Care should be taken when removing any roof coverings, window frames or other external features which may support bats or nesting birds.

If protected species such as bats or nesting birds are encountered during development then works should cease immediately and professional advice should be sought straight away.

Applicants and contractors can obtain advice on bats by telephoning the National Bat Helpline on 0345 1300 228 [https://www.bats.org.uk/advice/bat-found-during](https://www.bats.org.uk/advice/bat-found-during-buildingworks)buildingworks

The Chartered Institute of Ecology and Environmental Management (CIEEM) has an online professional directory should assistance be required.  
<https://cieem.net/i-need/finding-a-consultant/>

Further information about protected species and the law can be found on the Government website [https://www.gov.uk/guidance/bats-protection-surveys-and](https://www.gov.uk/guidance/bats-protection-surveys-andLicences)Licences

- 5) You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: [centralareahighways@northumberland.gov.uk](mailto:centralareahighways@northumberland.gov.uk)
- 6) Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
- 7) In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway

**Date of Report:** 9<sup>th</sup> May 2023

**Background Papers:** Planning application file(s) 22/04089/FUL





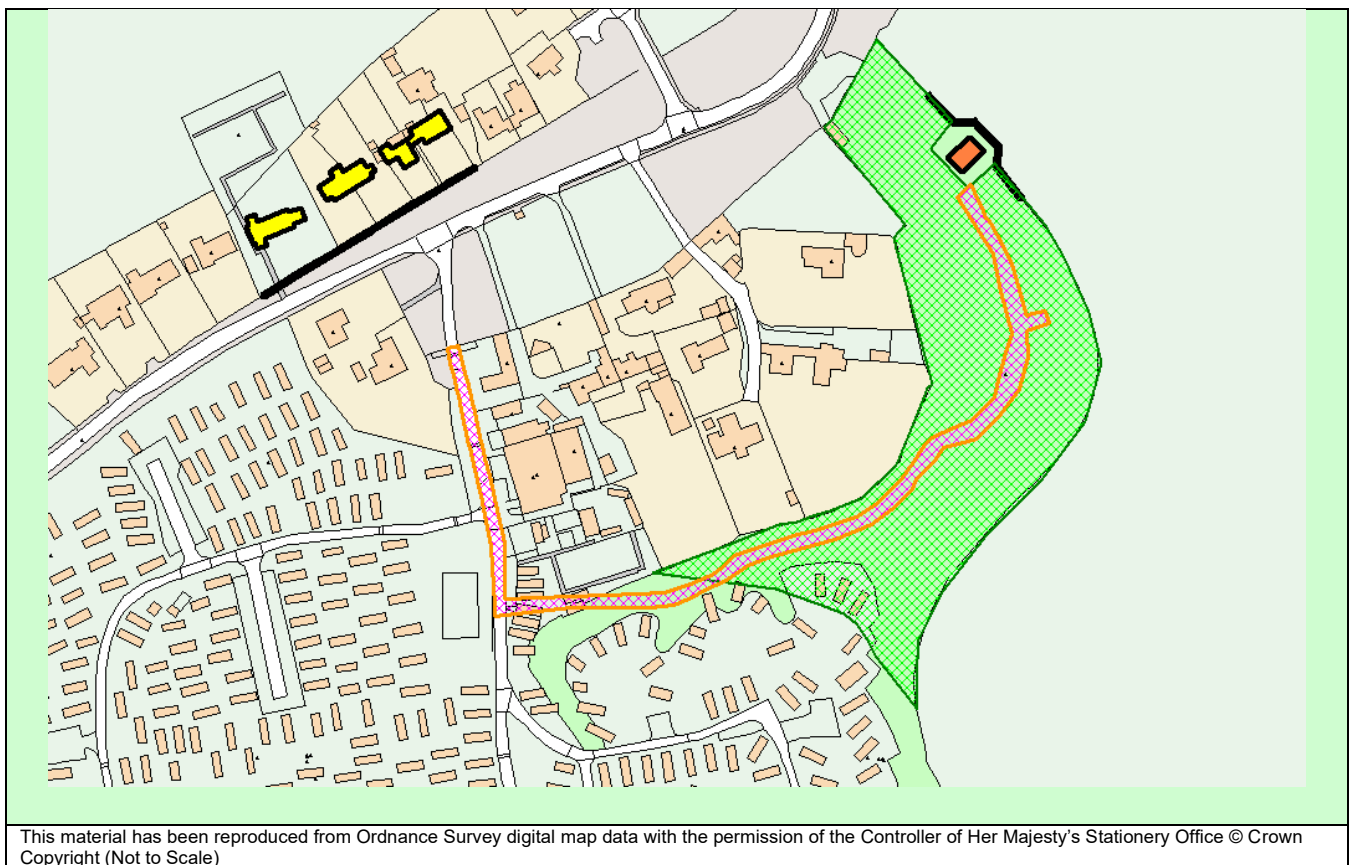


**Northumberland**  
County Council

**Castle Morpeth Local Area Council Committee, Monday 12<sup>th</sup> June 2023**

<b>Application No:</b>	23/00433/FUL		
<b>Proposal:</b>	Proposal for widening and surfacing of access track		
<b>Site Address</b>	Land East Of The Retreat, Cresswell, Northumberland,		
<b>Applicant:</b>	Park Resorts Limited 2nd Floor, One Gosforth Park Way, Gosforth Business Park, Newcastle Upon Tyne, NE12 8ET	<b>Agent:</b>	Mr James Wells 65 Gresham Street, London, EC2V 7NQ
<b>Ward</b>	Druridge Bay	<b>Parish</b>	Cresswell
<b>Valid Date:</b>	8 February 2023	<b>Expiry Date:</b>	13 June 2023
<b>Case Officer Details:</b>	Name: Mr Ryan Soulsby Job Title: Senior Planning Officer Email: Ryan.Soulsby@northumberland.gov.uk		

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



## 1. Introduction

- 1.1 Following the receipt of an objection from Cresswell Parish Council and 12no objections from neighbours and members of the public, the file was referred to the director of planning and the chairs of the Local Area Council committee. It was confirmed within their response that the application should be determined at Local Area Council committee by members.

## 2. Description of the Proposals

- 2.1 Planning permission is sought for the widening and surfacing of an access track located on land east of The Retreat, Cresswell.
- 2.2 The application site consists of a narrow, unmade track which measures approximately 1.7 metres in width. The track is bounded by dense woodland and allows access between Pele Tower and the existing holiday park. The proposal seeks to widen the track to 3.7 metres, forming a new surface using a Golpla heavy duty system which shall be filled with brown gravel.
- 2.3 A small number of trees within the woodland are proposed for removal however, this is not to facilitate the proposed development. New buffer planting is proposed upon the eastern and western boundaries of the site.
- 2.4 The adjacent Cresswell Pele Tower is recognised as Grade II\* listed as well as being a scheduled ancient monument. The Tower is enclosed by substantial masonry walls with the section of boundary walls to the east of the Tower having an 18th century pedimented entrance door with lugged architrave. The east section of the walls is Grade II listed with the remaining walls, attached bothy to the south and west and substantial walled garden to the west of the Tower identified as curtilage listed structures.

## 3. Planning History

**Reference Number:** CM/02/D/22

**Description:** PROVISION OF CAR PARKING AND WIDENING OF EXISTING ROADS

**Status:** Refused

**Reference Number:** 18/03856/FUL

**Description:** Construction of new access roads, hard standing and parking

**Status:** Withdrawn

**Reference Number:** 20/03269/FUL

**Description:** Improved access road and creation of 15no. parking spaces

**Status:** Withdrawn

**Reference Number:** CM/80/D/57

**Description:** Extension to caravan park to site 158 caravans

**Status:** Refused

**Reference Number:** CM/02/D/22

**Description:** PROVISION OF CAR PARKING AND WIDENING OF EXISTING ROADS

**Status:** Refused

**4. Consultee Responses**

Cresswell Parish Council	<p>Object. The application relates to a proposal for widening and surfacing of an access track. It purports to be aimed at achieving improved vehicular access for emergency vehicles to the Pele Tower. This is completely disingenuous. There is more than adequate access to the Pele Tower from the village green. The proposed road will in fact allow the applicant access to sites for further caravan pitches within an ancient woodland.</p> <p>The application indicates that any trees damaged as the track/road is worked on will be replaced. This is historical woodland and replacement trees will take years to grow ! The longer term implications of the new caravan sites in the woodland, which the road will allow access to, with the destruction of extensive tracts of ancient woodland and wildlife habitat, has not been addressed. In addition the road will destroy the existing heritage site of the 18th Century carriageway road which is still visible and of significant value to the story of the Pele Tower and Mansion house site. Protecting our local heritage is a matter which is addressed in the Northumberland local plan.</p> <p>As a council which has pledged to address climate change, is committed to achieving carbon neutrality ,as well as preserving local heritage unless there is a very compelling reason otherwise, passing this planning application would be totally contradictory to those pledges.</p>
Highways	No objection.
County Ecologist	No objection subject to recommended conditions.
County Archaeologist	No objection subject to recommended conditions.
The Coal Authority	No objection.
Building Conservation	It is considered that the application fails to preserve the setting and significance of the identified listed buildings and that the ability to appreciate and understand their setting would be harmed by the proposals. In the context of NPPF, the degree of harm is 'less than substantial'. We therefore refer the decision maker to NPPF, Paragraph 202 which requires the identified harm to be weighed against the public benefits of the proposal.
Historic England	No objection.

**5. Public Responses**

Neighbour Notification

Number of Neighbours Notified	4
Number of Objections	12
Number of Support	0

## Notices

Affecting Listed Building site notice, 17th February 2023

Northumberland Gazette press notice, 16th February 2023

## Summary of Responses:

12no objections were received against the application from neighbouring residents and members of the public. Concerns were raised regarding:

- Impacts on visual character;
- Vandalism, litter, antisocial behaviour;
- Biodiversity impacts;
- 'Trojan horse' element of an application, will facilitate further development;
- Breach of planning conditions;
- Loss of trees;
- Light pollution;
- Adverse effect on protected species;
- Increased traffic and highway safety concerns;
- Noise and amenity concerns.

Material planning considerations, including those raised within submitted objections, shall be assessed within the below appraisal.

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=RPIF3VQSMZH00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Northumberland Local Plan 2016 - 2036 (Adopted March 2022) (NLP)

Policy STP 1 - Spatial strategy (strategic policy)

Policy STP 2 - Presumption in favour of sustainable development (strategic policy)

Policy STP 3 - Sustainable development (strategic policy)

Policy STP 4 - Climate change mitigation and adaption (strategic policy)

Policy STP 5 - Health and wellbeing (strategic policy)

Policy QOP 1 - Design principles (strategic policy)

Policy QOP 2 - Good design and amenity

Policy QOP 4 - Landscaping and trees

Policy TRA 1 - Promoting sustainable connections (strategic policy)

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 7 – Historic environment and heritage assets

Policy WAT 3 - Flooding

### 6.2 National Planning Policy

## 7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises of the Northumberland Local Plan (NLP). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

- Principle of development;
- Design and visual character;
- Heritage assets;
- Residential amenity;
- Highway safety;
- Ecological impacts;
- Archaeological impacts.

### Principle of development

7.2 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres, service villages and small villages across the county where sustainable development can be located. Cresswell is recognised as a small village where a proportionate level of development will be supported, subject to accordance with other relevant policies.

7.3 The application site is located out with the settlement boundary for Cresswell and is therefore recognised as being located within open countryside land. Nevertheless, the site is located within the identifiable curtilage of the holiday park and would not contribute towards any encroachment into undeveloped open countryside land. The principle of a track within this area has previously been established, albeit recognising the track at present is not manmade, and it is not considered that the proposed development would be harmful to the immediate or wider area. The principle of development is therefore recognised as being acceptable in accordance with both local and national planning policy.

### Design and visual character

7.4 Policy QOP 1 of the NLP states that development proposals should “*make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography*”. The NPPF at paragraph 126 recognises good design as a key aspect of sustainable development with paragraph 130 noting developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

- 7.5 As part of the application assessment, a site visit was undertaken by the planning officer to assess the application site and surrounding land. The proposed track is enclosed within an existing woodland and is not readily visible outside of the holiday park curtilage due to the dense woodland and planting that currently exists within this area. Whilst a small number of trees are proposed to be removed from the woodland, this removal is not to facilitate the proposed development and relates to the poor condition of existing trees.
- 7.6 The proposed development would not be harmful to the visual character of the site or the settlement of Cresswell. The use of brown gravel within a Golpla heavy duty flooring system would retain the rural, woodland character and would not create an urbanising impact in a way which a tarmac surface could. The introduction of additional buffer planting upon the shared boundaries of the site would provide further screening of the track whilst the woodland management plan would secure ongoing maintenance of the woodland. Precise details of the gravel and flooring system have been provided and the LPA are satisfied that the proposals accord with relevant local and national planning policy in relation to good design.

### **Heritage assets**

- 7.7 Policy ENV 7 of the NLP states that *“Development proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland’s heritage assets and their settings”*. Paragraph 195 of the NPPF states *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise”*.
- 7.8 Located to the north of the application site, within the curtilage of the holiday park, is the grade II\* listed and scheduled ancient monument, Cresswell Pele Tower. The Tower is enclosed by substantial masonry walls with the section of boundary walls to the east of the Tower having an 18th century pedimented entrance door with lugged architrave. The east section of the walls is Grade II listed with the remaining walls, attached both to the south and west and substantial walled garden to the west of the Tower identified as curtilage listed structures.
- 7.9 Consultation was undertaken with the local authority’s Building Conservation team who assessed the application proposals, stating that the development fails to preserve the setting and significance of the identified listed buildings and that the ability to appreciate and understand their setting would be harmed by the works. The harm identified by the works is recognised as less than substantial and the decision maker is therefore referred to paragraph 202 of the NPPF which states the harm of the development needs to be weighed against the public benefits that may arise from the proposals.
- 7.10 The overriding public benefit of the application proposals is the biodiversity improvements that shall arise, secured through the woodland management plan submitted as part of the application documents. The application site is recognised as a habitat of principal importance deciduous woodland which is

currently recognised as being in poor condition. The woodland management plan provides adequate mitigation and compensation for the development and allows a level of management for the woodland that appears to have been previously neglected. Additional planting along the shared boundaries is also welcomed, presenting biodiversity improvements as well as improving the appearance of the site boundaries.

- 7.11 The applicant has also presented a public benefit relating to historic work to heritage assets located within the site, however, this would not be a direct public benefit relevant to the application proposals. Nevertheless, the LPA consider the significant biodiversity improvements at the site demonstrate a public benefit that overcomes the less than substantial harm identified by the Building Conservation team within their consultation comments. The proposals are therefore considered to accord with policy ENV 7 of the NLP and the NPPF.

### **Residential amenity**

- 7.12 Policy QOP 2 of the NLP states that *“development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area”*. Paragraph 130, part f) of the NPPF states that planning decisions should ensure that developments *“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”*.
- 7.13 The application site is bounded by existing residential development located to the north and west of the application site. The LPA recognise the existing track is used by users of the holiday park and residents and whilst the proposed widening of the track may intensify the use of this area, it is not considered that this would adversely impact the amenity of nearby properties. Concerns in relation to litter, vandalism and anti-social behaviour are not material planning considerations and the LPA cannot consider future development that may arise in this area in the future as part of this submission. The LPA consider the proposals accord with policy QOP 2 of the NLP and the NPPF in relation to residential amenity.

### **Highway safety**

- 7.14 Policy TRA 2 of the NLP states that developments will be expected *“provide effective and safe access and egress to the existing transport network”* and *“include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or highway safety”*. Policy TRA 4 is also relevant within this assessment and states that *“an appropriate amount of off-street vehicle parking to serve new development shall be made available in safe, accessible and convenient locations”*.
- 7.15 Paragraph 111 of the NPPF states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

- 7.16 Consultation was undertaken with highways development management (HDM) who raised no objection to the application proposals. The track connects Pele Tower to the existing private caravan site where the highways authority have no jurisdiction.

### **Ecological impacts**

- 7.17 Policy ENV 2 of the NLP states that developments should minimise their impact upon biodiversity and geodiversity and where possible, secure net gains. These provisions are mirrored within paragraph 174, part d) of the NPPF.
- 7.18 Consultation was undertaken with the local authority's ecologist who raised no objection to the application proposals, subject to recommended conditions. The submitted documents confirm appropriate maintenance and biodiversity net gain within the woodland and allow a level of control of the woodland moving forward. Conditions have also been recommended in relation to the felling of trees identified for removal to ensure protected species are not adversely impacted upon during the works, thus addressing concerns raised within objection comments. The LPA are therefore satisfied that the proposed development accords with policy ENV 7 of the NLP and the NPPF in relation to biodiversity and protected species.

### **Archaeological impacts**

- 7.19 Policy ENV7, part 3) of the NLP details that *“Development proposals, which will affect a site of archaeological interest, or a site which has the potential to be of archaeological interest, will require an appropriate desk-based assessment and, where necessary, a field evaluation”*.
- 7.20 Consultation was undertaken with the local authority's archaeologist who raised no objection to the application proposals, subject to recommended conditions in relation to archaeological monitoring. The site has significant archaeological potential and any risk to archaeological remains can be addressed through appropriate on-site monitoring. Subject to these recommended conditions, the LPA consider the development to accord with policy ENV 7 of the NLP and the NPPF.

### **Equality Duty**

- 7.21 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**

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



## **Human Rights Act Implications**

- 7.23 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.
- 7.24 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.
- 7.25 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

- 8.1 The application represents an acceptable form of development that accords with both local and national planning policy. Whilst concerns have been raised by residents in relation to future development at the site, this is not a material planning consideration as part of this assessment.
- 8.2 The application is therefore recommended for approval subject to recommended conditions.

## **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 permitted shall be carried out in complete accordance with the approved plans and documents. The approved plans and documents for this development are:-

- 1) Location plan drawing no. 3932-100 rev. F
- 2) Proposed block plan drawing no. 3932-203 rev. L
- 3) Woodland Management Proposals for the Creswell Towers Woodland (B.J. Unwin Forestry Consultancy Ltd, March 2023)
- 4) Creswell Towers EclA Access Track 2023 (BSG Ecology)
- 5) BS5837 Tree Constraints, Tree Impacts and Tree Protection Method Statement for upgraded and widened track and Woodland Management Proposals for the Creswell Towers Woodland

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

03. No development will take place unless in accordance with the recommendations of the reports:

- Creswell Towers EclA Access Track 2023 (BSG Ecology)
- BS5837 Tree Constraints, Tree Impacts and Tree Protection Method Statement for upgraded and widened track and Woodland Management Proposals for the Creswell Towers Woodland (B.J. Unwin Forestry Consultancy Ltd, January 2023).
- Woodland Management Proposals for the Creswell Towers Woodland (B.J. Unwin Forestry Consultancy Ltd, March 2023).

Reason: To avoid harm to protected species and habitats and maintain and enhance the biodiversity value of the site in accordance with Policy ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

04. No felling of trees shall be undertaken unless a suitably qualified ecologist has first confirmed that they contain no active dreys. If dreys are found present no work to the trees shall proceed without a method statement submitted to and agreed in writing by the local planning authority.

Reason: To avoid harm to Red Squirrels, which are protected by law in accordance with Policy ENV2 of the Northumberland Local Plan and the National Planning Policy Framework.

05. No demolition, development, tree felling or vegetation clearance shall be undertaken 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.

Please note that some birds will nest outside of this period depending on species and temperatures and as such care should be taken to assess the site for nesting birds and stop work if any active nests are found. Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology

and management plan for the installation and maintenance of the netting will be agreed in writing with the Local Planning Authority prior to installation.

Reason: To protect nesting birds, all species of which are protected by law in accordance with Policy ENV 7 of the Northumberland Local Plan and the National Planning Policy Framework.

06. Prior to work commencing on widening of the trackway, the appointed contractor should submit a Method Statement to the LPA for review and approval. The Method Statement should include details of the depth and extent of any groundworks required below the level of the existing ground surface, including temporary groundworks. It will be appropriate for the Method Statement to make reference or include the manufacturers 'generic' product description, but the Method Statement should rely on a 'generic' document only.

Reason: To inform the detail and scope of an archaeological mitigation response in accordance with Policy ENV 7 of the Northumberland Local Plan and the National Planning Policy Framework.

07. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 27/03/23). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.

b) The archaeological recording scheme required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason: To ensure archaeological impacts are appropriately addressed in accordance with Policy ENV 7 of the Northumberland Local Plan and the National Planning Policy Framework.

### **Informatives**

- 1) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**Date of Report:** 9<sup>th</sup> May 2023

**Background Papers:** Planning application file(s) 23/00433/FUL

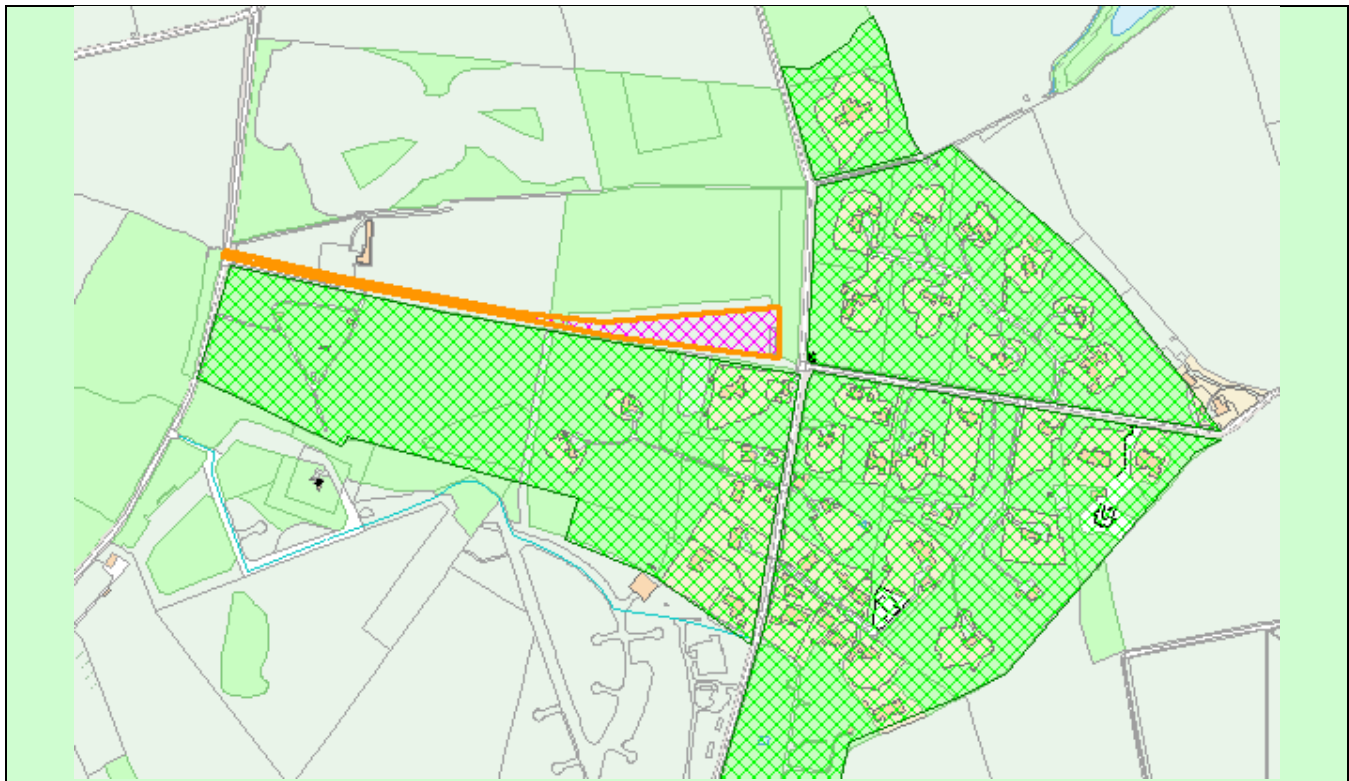


**Northumberland**  
County Council

**Castle Morpeth Local Area Committee 12<sup>th</sup> June 2023**

<b>Application No:</b>	22/03226/COU		
<b>Proposal:</b>	Change of use of land adjacent to N1 Golf Centre for up to 20No plots to be used for the siting of accommodation (micro holiday cabins) in association with the existing business.		
<b>Site Address</b>	Morpeth Archers Site, Tranwell Woods, Morpeth, Northumberland NE61 6AQ		
<b>Applicant:</b>	Malone N1 Golf Centre Ponteland Road, Northumberland, Morpeth, NE61 3FR	<b>Agent:</b>	Miss Hannah Wafer Dean Street Arch, 22 Dean Street, Newcastle, NE1 1PG
<b>Ward</b>	Longhorsley	<b>Parish</b>	Mitford
<b>Valid Date:</b>	7 September 2022	<b>Expiry Date:</b>	17 February 2023
<b>Case Officer Details:</b>	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

**Recommendation:** That this application be REFUSED permission



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## 1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application is being determined at Castle Morpeth Local Area Council as it raises significant planning issues.

## 2. Description of the Proposal

2.1 The application is seeking permission for change of use of land adjacent to N1 Golf Centre for up to 20 No plots to be used for the siting of accommodation (micro holiday cabins) in association with the existing business.

2.2 This planning application is seeking permission for a change of use of land for visitor accommodation. The proposal includes 20 pitches for 2-bed timber clad holiday cabins. The access will be from the existing entrance into N1 Golf from the western boundary and internal arrangements will be organised to transport visitors from clubhouse to the cabins to the far eastern boundary.

2.3 The application site is located adjacent to the N1 golf centre and Tranwell Woods, approximately 2 miles southwest of Morpeth. The site comprises open grassland which is currently unused but formerly used for archery. It is surrounded by trees and woodland; and within close proximity to housing within Tranwell Woods. This includes two dwellings which borders the southern boundary of the site. The site is within the open countryside and Green Belt on the northern edge of Tranwell Woods.

2.4 The application states that the proposal forms part of a business diversification scheme in which the holiday accommodation will provide a 'secondary income stream' for the existing N1 golf centre. The application highlights economic and tourism benefits with woodland management and biodiversity enhancements within a land parcel to the north of the application site.

2.5 An application was withdrawn for 20 holiday cabins within an area of woodland to the south western corner of the N1 golf site nearer the entrance and clubhouse. This was withdrawn due to the impact on a Habitat of Principal Importance (HPI). The current application is an alternative area on a mown grassland approximately 500m to the east towards Tranwell Woods.

## 3. Planning History

**Reference Number:** 17/02372/FUL

**Description:** Construction of an adventure golf course

**Status:** PER

**Reference Number:** 18/02261/FUL

**Description:** Extension of existing club house including refurbishment and provision of a new American Golf Store as amended by drawings received 30/08/18 and supplemented by bat and bird survey report received 01/10/18 and by ecology report received 05/10/18

**Status:** PER

**Reference Number:** 19/03997/FUL

**Description:** Change of Use of land at N1 Golf Course to Tourism Site Comprising up to 20 pitches.

**Status:** WDN

**Reference Number:** 20/03654/COU

**Description:** Change of use of woodland adjacent to N1 Golf Centre for up to 20No plots to be used for the siting of accommodation (micro holiday cabins) in association with the existing business (as amended 20.08.2021)

**Status:** WDN

**Reference Number:** CM/92/D/179

**Description:** Use of land as Golf Driving Range and 4 hole practice area (As amended by plans received 6th January 1996)

**Status:** PER

**Reference Number:** CM/20070383

**Description:** Renewal of planning permission for use of land adjacent to Guben Golf range for the sport of archery and the temporary siting of a secure container

**Status:** PER

**Reference Number:** CM/05/D/597

**Description:** Retention of a temporary structure to provide security accommodation including sleeping facilities

**Status:** REF

**Reference Number:** CM/04/D/046

**Description:** Change of use from agricultural land to archery and temporary siting for secure container.

**Status:** PER

**Reference Number:** CM/99/D/485

**Description:** Use of land for archery (as amended by plan received 18/10/99 & 23/11/99)

**Status:** PER

**Reference Number:** CM/00/D/200

**Description:** Temporary siting of secure steel container for storage of archery equipment

**Status:** PER

**Reference Number:** CM/00/D/200A

**Description:** RENEWAL- Continuation of use of land for secure steel container for storage of archery equipment

**Status:** PER

**Reference Number:** CM/00/D/200B

**Description:** Renewal - Temporary siting of secure steel container for storage of archery equipment

**Status:** PER

#### 4. Consultee Responses

Building Conservation	No objection
Mitford Parish Council	Objection

County Ecologist	No objections subject to conditions
Lead Local Flood Authority (LLFA)	Objection
Natural England	No objections
Environment Agency	Objection
Waste Management - South East	No response received.
Public Protection	No objection subject to conditions – subject to a commitment for an overnight warden received
Highways	No objection subject to conditions
Tourism, Leisure & Culture	Support

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	46
Number of Objections	48
Number of Support	0
Number of General Comments	0

### Notices

Affecting Listed Building 23<sup>rd</sup> September 2022 & 4<sup>th</sup> October 2022

Northumberland Gazette 6th October 2022

### Summary of Responses:

Mitford Parish Council wish to object to the above application on the following grounds:

*“1. Inappropriate development in the Green Belt. It is recognised that the provision of approved facilities for outdoor sport and recreation is a permitted exception under the NPPF provided the facilities preserve the openness of the countryside. This is a high bar, again the NPPF states that inappropriate development in the Green Belt should not be approved except in very special circumstances. No exceptional circumstances are demonstrated in this application. The layout of the 20 chalets is reminiscent of a 1960's holiday camp and is totally incompatible with this setting. There is no evidence to demonstrate that the proposed development is essential to the existing golf facility, and it conflicts with a key purpose of the Green Belt, that is to safeguard the countryside from encroachment. The proposed chalets border housing in Tranwell Woods, a community of just 45 dwellings.*

*2. The Parish Council is concerned by the absence of detail and clarity in the application, particularly the applicant's failure to provide any overall vision for the site. A previous application referred to a Master Plan and 3 development phases, it would be helpful to understand how this application fits into the Master Plan. The applicant owns the adjacent Turnberry House, which is operated as an Airbnb, is this part of the grand plan and if so, how does it link with the proposed development.*

*3. Adverse impact on wildlife and ecology of Tranwell Woods. This is a quiet rural setting, and the Woods are rich in ecology and wildlife, boundaries between properties*



*are deliberately open to permit the free movement of wildlife. The impact of up to 40 additional guests on this site and the associated noise will inevitably have an adverse effect on the wildlife.*

*4. Disturbance and nuisance to neighbours and other residents of Tranwell Woods. There is already an issue of noise in the operation of Turnberry House, there have been multiple complaints by neighbours of both trespass and noise from hen and stag parties at the property. The proposed development will exacerbate this issue and encourage more trespass given the absence of boundary fencing mentioned above and create potential security issues for neighbouring properties.*

*5. Inadequate roads and footpath infrastructure. The roads through Tranwell Woods are generally narrow and there is an absence of footpaths, to compound the issue the road past the site has a 60mph speed limit and can be busy at certain times of the day. There are no footpaths or cycle tracks connecting with the site. Whilst the design statement refers to two person chalets the floor plans appear to indicate the intent to place beds in the living areas, this would make sense if the target market were to include families. This will at least double the number of potential guests using the site exacerbating the concerns expressed in points 3 to 5 above.”*

There have been 48 objections received from local residents. In summary the concerns relate to:

- Increased surface water will exacerbate existing localised flooding issues in Tranwell Woods; photograph evidence of flooding
- Concerns with discharge of foul drainage into freshwater stream
- Inappropriate development in the Green Belt; No Very Special Circumstances demonstrated and will create substantial harm to openness.- Harm outweighs benefits proposed and will set a precedent for other applications for similar sites in the Green Belt.
- Noise management Plan is inadequate and proposal will cause noise and disturbance to local residents
- Intensification of the site – Increased visitors, vehicles, noise, odours, effluent, damage to woodland
- Impact to amenity – noise, anti-social behaviour, trespassing; no wardens on site; additional impact alongside Turnberry House which is not an airbnb.
- Does not satisfy policies ECN16, STP1 & STP 8
- No ecology report submitted – impact to wildlife and woodland
- Woodland Management Plan is inadequate and proposed planting would take 30+ years to reach height of current woodland
- Application also at White House Farm will oversaturate area with holiday accommodation
- Development will impact Tranwell woods and surrounding area in terms of the character and tranquillity of the area
- Will take away the prestige of the area
- Job loss to neighbouring camp site
- Highway impacts – additional traffic, impact to pedestrians, horse riders and no detailed traffic management plan
- Any external lighting will impact the area and wildlife
- Site is visible through trees
- Economic statement is inaccurate and outdated
- No Health Impact Assessment

There has also been a petition received on 19<sup>th</sup> October 2022 with 63 signatures objecting to the development.

An additional petition on 26<sup>th</sup> April 2023 was received with 29 signatures opposing the development.

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=RHU3GTQSJD900>

## **6. Planning Policy**

### 6.1 Development Plan Policy

#### **Northumberland Local Plan (NLP)**

STP 1 – Spatial Strategy

STP 7 – Strategic approach to the Green Belt

STP 8 – Development in the Green Belt

ECN 15 – Tourism and visitor development

ECN 14 – Farm / rural diversification

ECN 15 – Tourism and visitor development

ECN 16 – Green Belt and tourism and visitor economy

QOP1 – Design Principles (Strategic Policies)

QOP 2 – Good design and amenity

TRA 1 – Promoting sustainable connections (Strategic Policy)

TRA 2 – The effects of development on the transport network

TRA 4 – Parking provision in new development

ENV 2 – Biodiversity and geodiversity

POL 1 – Unstable and contaminated land

POL 2 – Pollution and air, soil and water quality

WAT 1 – Water Quality

WAT 2 – Water supply and sewerage

WAT 3 – Flooding

WAT 4 – Sustainable Drainage Systems

#### **Morpeth Neighbourhood Plan (MNP)**

Policy Set1 – Settlement Boundaries

Policy Sus 1 - Sustainable Development Principles

Policy Des 1 – Design Principles

Policy Tra3 – Transport Requirements for New Developments

Policy Inf1 – Flooding and Sustainable Drainage

### 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - National Planning Practice Guidance (2021, as updated)

## 7. Appraisal

7.1 In relation to the principle of this development in policy terms, it is considered that the following main matters are relevant and need to be considered:

- Principle of Development
- Design & Amenity
- Ecology
- Water Quality
- Flood Risk & Drainage
- Highways
- Land Contamination

### **Principle of Development**

#### *Spatial Strategy*

7.2 Northumberland Local Plan (NLP) Policy STP 1 of the Local Plan sets out the spatial strategy for development in Northumberland. Parts g-i of the policy relate to development in the open countryside, which is defined within the supporting text as follows:

*“• Land beyond settlement boundaries or Green Belt inset boundaries, where they are defined on the Local Plan policies map or neighbourhood plan policies maps,  
• Land not within, or immediately adjacent to the built-up form of Main Towns, Service Centres, Service Villages or Small Villages and land that is not within the built form of other settlements, where boundaries are not defined.”*

7.3 The site is not located within any defined settlement in the development plans, nor is it adjacent to a Main Town, Service Centre, Service Village or Small Village. The site therefore lies in open countryside. Part g of policy STP 1 sets out circumstances in which development will be acceptable in the open countryside, including sustainable rural tourism and leisure developments in accordance with NLP Policy ECN 15.

7.4 Policy ECN 15(d) distinguishes between new permanent buildings in the countryside and other forms of development, including the siting of caravans and chalets. The proposed pods would be temporary, moveable structures with no hardstanding or permanent plinths proposed, similar to a caravan. Policy ECN 15 (2d and 2f) of the NLP supports the use of chalets and caravans as visitor accommodation in the open countryside, providing the location is accessible and the site is adequately screened. The site is accessible by motor vehicles and cyclists via the B6526, with Morpeth town centre approximately a 3-mile drive away. There does not appear to be any bus service or pedestrian links to the site. However, given the proximity to Morpeth and the highway access to the site, the location is considered to be reasonably accessible in the context of visitor accommodation in the open countryside. In terms of the second point, the site is well screened by surrounding woodland.

7.5 Policy Set1 of the Morpeth Neighbourhood Plan (MNP) sets out a limited number of circumstances in which development will be supported in the open countryside. The proposed scheme does not align with any of the supported development types listed in the policy. Part A is not considered to be applicable as the development goes

beyond that of rural diversification of a farm or rural business. Part B, which allows for development where it serves existing businesses, does not apply as the development is not related to the existing golf centre. The holiday accommodation can function as its own entity, rather than serve the existing golf course. Whilst part C permits development that serves or supports visitor and leisure attractions, this will only apply where needs cannot be met within settlement boundaries. There is no information to suggest that the accommodation would serve any particular visitor attraction or that there is a shortage of holiday cabins in this location, beyond settlement boundaries.

7.6 Although the proposal does not accord with Policy Set1 of the MNP, the location of the development is supported by the spatial strategy in the NLP. In this instance, the NLP is afforded greater weight with the more recently adopted policies.

### *Green Belt*

7.7 The site is located within the Green Belt as defined on the NLP Policies Map, in accordance with NLP Policy STP 7. NLP Policy ECN 16 seeks to maximise the potential of land in the Green Belt in terms of supporting visitor and tourism related development. However, the proposed development would not accord with any of the development listed in the policy.

7.8 Policy STP 8 of the NLP sets out that development will only be supported in the Green Belt if it is not inappropriate, as defined in national policy, or where very special circumstances exist to justify the development. Paragraphs 149 and 150 of the NPPF form a closed list of development that is considered not inappropriate in the Green Belt:

*“149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) 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 the 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.*

*150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

- a) mineral extraction;*
- b) engineering operations;*
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

7.9 Included within paragraph 150 is material changes in the use of land (e), subject to the openness of the Green Belt is preserved and that there is no conflict with the purposes of including land within it. It is considered that the mass of the proposed habitable structures, which will presumably be left in situ throughout the year, would not preserve the openness of the Green Belt. Activity from people and vehicles would also increase significantly on the site, which would add to the spread of development. Whilst there do not appear to be any permanent features proposed and although it is possible to move the cabins, the increase in activity and the effective permanence of 20 sizable structures intended for habitation, would be detrimental to openness.

7.10 Due to the surrounding trees and woodland, it is likely that the visual impact on openness would be limited. However, this would not reduce the spatial impact on openness through the introduction of development onto what is currently an open field. Therefore, the proposal would not preserve the openness of the Green Belt and would be considered inappropriate in the Green Belt.

7.11 In accordance with Policy STP 8 (1a) inappropriate development in the Green Belt will not be supported except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal. In accordance with the NPPF, inappropriate development is, by definition, harmful to the Green Belt and carries substantial weight against the proposed development.

7.12 In terms of factors weighing in favour of the proposal, the applicant highlights the support within paragraph 84 of the NPPF and Policy ECN 14 of the NLP for rural businesses and for rural diversification and also tourism developments in the open countryside within Policy ECN 15. However, both the NPPF and the NLP provide clear protections to the Green Belt that apply alongside the promotion of rural businesses. Compliance with economic policies does not, therefore, equate to Green Belt harm being outweighed. This is further clarified by Policy ECN 16 of the Local Plan, which promotes tourism developments in the Green Belt, *“while ensuring that there would be*

*no greater impact on the Green Belt and the purposes of including land in it.” In full Policy ECN 16 reads:*

*“Policy ECN 16 Green Belt and tourism and visitor economy*

*1. The potential of the Green Belt areas to contribute towards strategic economic and tourism aims will be maximised, while ensuring that there would be no greater impact on the Green Belt and the purposes of including land in it. This will be achieved by:*

*a. Subject to national Green Belt policy, allowing open land uses that may lead to a reduction in operational farmland subject to:*

- i. The ability of the farm to continue to operate; and*
- ii. The proposal resulting in a significant increase in the ability of the public to access the countryside on foot, bicycle or on horseback and/or the creation of a new or enhanced visitor attraction of a type that would be most appropriately located in a countryside setting;*

*b. Allowing new buildings that provide for employment-generating or tourism related uses, as limited infill within the built up form of settlements that are washed over by Green Belt, subject to any built conservation considerations;*

*c. Allowing for the replacement of a building in employment-generating or tourism-related use, so long as the new building is in the same use and not materially larger than the one it replaces;*

*d. Allowing employment generating or tourism development to occupy previously developed land (but not where temporary buildings have been sited) so long as the new buildings do not impact the openness of the Green Belt more than the buildings or structures that were previously on the site.*

*2. Within the above restrictions, and in line with national Green Belt policy, proposals will be supported if they:*

- a. Allow an existing business and/or employment to continue or modestly grow in situ;*
- b. Allow for facilities that contribute to education, training and upskilling that is connected to rural sectors including agriculture, horticulture and tourism”.*

7.13 The applicant suggests that the proposal is intended to be part of the Golf complex and not a standalone development that it will enable the diversification and expansion of a successful rural business. However, it is considered that the development goes beyond that of a rural diversification scheme. The cabins will likely function as standalone visitor accommodation which simply lies adjacent to the golf centre. Whilst there is a link to the golf course site, the application has not demonstrated that the cabins would serve a clearly connected purpose to the existing use or providing specialist accommodation that can't be found elsewhere. The proposal does not meet the above restrictions in terms of being an infill site; re-using an existing building or developing upon previously developed land. Ultimately, it will not accord with national green belt policy in the NPPF as the scheme will have a greater impact to the openness of an undeveloped area of land.

7.14 Some further points made by the applicant relate to potential wider benefits, including that the development will improve the tourism offer in the area and provide 9 additional full-time jobs. There are also comments from NCC Tourism supporting additional accommodation to strengthen the diversity, depth and breadth of the County's tourism offer although not specifically identifying that there is great need for holiday accommodation near Tranwell Woods but a complementary addition.

7.15 A Woodland Management Plan has been submitted proposing additional tree planting and ecological benefits beyond the application site. A steer from the County Ecologist on this issue acknowledges that the proposed provision of bird boxes on site is positive and meets the requirements of national and local policy to provide an enhancement for biodiversity within the design of a development. However, this would not be classed as a locally exceptional circumstance. The intention to actively manage the adjacent land to the north could provide a net gain for biodiversity, although without a baseline ecology survey and a management plan focused on wildlife it is not possible to identify what specific benefits would be delivered. There may be existing obligations on the land, or other routes are available to achieve beneficial management without having to rely on new development, such as woodland management grants through Countryside Stewardship. From the information provided, it is considered that securing management of the land would not be classed as a locally exceptional circumstance.

7.16 It is noted that an application of a similar nature was refused for a change of use of land from equestrian grazing to a campsite at Land Northeast of Bolam Lake Boat House Wood Car Park, Belsay (Ref: 22/00437/FUL). The application is currently subject to an appeal, and it is acknowledged that each application has to be assessed on its own merits however, it does support a consistent approach for applications and circumstances of this nature. The application proposed additional woodland management and sought to demonstrate economic benefits. It was concluded that the economic benefits and biodiversity gain did not equate to very special circumstances. The stance taken by the Council is that there is local and national policy support for sustainable rural tourism development and the potential benefits that this can bring to the local economy. However, a development of this nature is also required to respect the character of the countryside and should ensure that there would be no greater impact on the Green Belt and the purposes of including land in it. Whilst there may be some benefits, it was not considered that these demonstrated to meet the policy requirement of being 'very special circumstances' to outweigh harm to the Green Belt as opposed to more general benefits that could be applied to any other site in any location.

7.17 It is acknowledged that there are positive factors with the scheme however, the harm to the Green Belt has to be afforded substantial weight and the demonstration of 'very special circumstances' is a very high test. In summary, the development is inappropriate in the Green Belt and can only be supported if very special circumstances exist to justify the development. The harm arising from the development is not clearly outweighed by considerations weighing in favour of the scheme. As such the application does not accord with the NPPF and Policy STP 8 and ECN 16 of the NLP.

## **Visual and Residential Amenity**

7.18 Policies QOP1 and QOP2 sets out the design criteria for new proposals and to ensure development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area.

7.19 Policy Des1 of the Morpeth Neighbourhood Plan includes a list of criteria in terms of the design of new developments. Of particular relevance to this application, the policy states that proposals will be supported where:

- The design and layout of the development achieves a sense of place by protecting and enhancing quality, distinctiveness and character of settlements;
- Respecting or enhancing the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features;
- Ensuring the development safeguards, respects and enhances the natural environment, the biodiversity, landscape and wildlife corridors and the countryside;
- Ensuring that the development does not cause an acceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties;
- Incorporating sustainable drainage systems.
- These policies are consistent with the aims of the NPPF which has good design as one of the key aspects of sustainable development and which states that developments should respond to local character and history and reflect the identity of local surroundings and materials.

7.21 The concerns from local residents have been acknowledged in relation to the potential impact the scheme may have upon the rural character of Tranwell Woods. The chalets are modest single storey structures measuring 3.8m x 8.2m and up to 4m high. In terms of their purpose for holiday accommodation, they are appropriate in scale and design with timber cladding to be sympathetic within its natural surroundings. The accommodation is situated on mown grass and surrounded by woodland that adequately screens the site from the public highway and vantage points.

7.22 The scheme proposes to use the existing western access to the golf site to utilise the existing parking area and clubhouse where visitors will 'check in'. The intensification of the site will increase however, the accommodation is contained and well screened from the surrounding area with 25m retained to the roadside to the east. It is not considered therefore, that the impact to the character of Tranwell Woods is significant when the design, scale and layout of the scheme is located on the edge of a settlement and will not have a great visual presence or overbearing impact. The entrance point for visitors is approximately 0.5 miles from the C151 running through Tranwell Woods therefore, limiting the intensification of traffic within the settlement.

7.23 The practicalities of the scheme have been questioned in representations such as the approach to consistently transport holidaymakers to their accommodation along the edge of a golf driving range in golf buggies. The existence of a field gate to the east of the site may be potentially available as a future access point that would create a greater impact to the character of Tranwell Woods. The assessment of the proposal, however, is based on the details submitted within the application and the applicant



considers that visitors can be transported safely within the site. The use of alternative access points or assumptions regarding the potential for future development do not form a material planning consideration. Any major variations to an approved scheme would be subject to an assessment under another planning application.

7.24 Concerns have been raised from local residents regarding increased noise levels from visitors. The proposed scheme is compatible with the surrounding area in the sense that it is providing habitable accommodation however, it is the temporary nature and number of visitors in a confined space that has the potential to cause disturbance to existing residents in a peaceful area. Tranwell Woods however, consists of properties with large gardens in dense woodland and the nature, scale and proximity of the proposal is not considered to generate a significant enough impact to detrimentally impact the amenity of all occupants in Tranwell Woods. Any impact would be to those immediately adjacent to the site.

7.25 Public Protection have also been consulted and did not consider a noise assessment was necessary with the potential sources of noise consisting of human speech or the playing of personal music equipment by the guests. There is still a distance of 13.5m to from the nearest chalets to the southern shared boundary and between 53m – 80m to the neighbouring properties which is screened by trees. Public Protection however, objects to the proposed development due to an insufficient Noise Management Plan which does not meet the requirements of Paragraph 185 (Noise) of the NPPF and POL 2 of the NLP. Paragraph 185 of the NPPF states:

*“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”*

7.26 The submitted Noise Management Plan (mitigation) has confirmed that check in/out will be at the N1 Golf Centre to minimise disruption with no hen or stag parties on site. Any patrons that ignore advice regarding noise levels will be asked to leave. It has specified that the complaints process will be administered via the N1 Golf Centre which is not open during the most noise sensitive hours (23:00 – 07:00). However, the Noise Management Plan must be revised to commit to a procedure which would provide neighbouring residents with a 24-hour contact who can investigate and resolve alleged noise issues (should they occur) whilst the alleged noise issue is occurring. This will require the applicant / managerial body to be locally available to physically access the site. The applicant has confirmed that contacts details can be provided but not at this stage of the application. As such, there has been a commitment from the applicant to provide an overnight warden and the details can be secured via condition for an updated Noise Report to any permission granted. Public Protection has also requested conditions to add restrictions to any noise from any plant or machinery. Furthermore, it must also be highlighted that any noise issues from the site can be dealt with by the Council under other powers via the statutory nuisance complaint

procedure. Public Protection can investigate and if necessary, enforce any changes needed to protect residents.

7.27 A Noise Assessment Report was received as part of an objection from some local residents which concluded that *“Considering the nature of this type of holiday accommodation it is likely that noise from the proposed development would be noticeable at the nearest noise sensitive receptors given the very low background noise environment and would be intrusive resulting in an Observed Adverse or Significant Adverse Effect”*. This observation is accepted however, an adequate Noise Management Plan can prevent this potential harm to the nearest noise receptors and whilst acknowledging the character of the surroundings, the site is not within an official “tranquil” area.

7.28 There has been reference made by residents to the neighbouring property currently operating as an Airbnb. Turnberry House and current issues with noise and disturbance. This is currently an NCC enforcement case and a matter outside of the application site to determine if such a use requires planning permission and to investigate the current operation of the property. It is generally accepted that planning permission is not required for changing a dwelling to short term stay as it falls within the same use class. Whilst a case could be put forward to argue there may be a cumulative impact with the proposed development near an existing Airbnb alternatively, the new holiday cabins are less likely to impact the neighbouring property also providing holiday accommodation as it not used permanently for residential use.

7.29 No details have been submitted regarding external amenity lighting however Environmental Protection are satisfied that this aspect of the development may be controlled via a pre-occupation condition.

7.30 Subject to conditions it is considered that the potential impact to noise can be adequately mitigated. The application, therefore, accords with NLP Policy QOP2, POL 2 and the NPPF.

## **Highways**

7.31 Policy TRA 1 of the NLP states that the transport implications of development must be addressed as part of any planning application. Policies TRA 2 and TRA 4 seek to ensure any new application has no detrimental impact to the existing transport network and provides adequate parking provision in accordance with the NCC standards within Appendix E of the Plan. Policy Tra3 of the MNP also seeks adequate parking and manoeuvring apace within the development.

7.32 Highways Development Management (HDM) have been consulted and requested a full Car Parking Assessment based on existing use and additional holiday uses being proposed on site. The site is popular on a day-to-day basis with people utilising the golfing facilities meaning the car park is generally full. This proposal would require 20no car parking spaces – 1 per holiday cabin. However, if the applicant can prove that these vehicles will not be on-site during the day up until a certain time, this could be relaxed but additional parking will be required.

7.33 There was also a request for:

- Full details on cycle parking/storage for the proposed units.
- Full details on refuse storage and strategy arrangements for the units.
- Types of vehicles expected on site (bus/minibus, coaches etc) and vehicle swept path for the largest vehicle using the access
- Construction Methodology Statement with supporting plan inclusive of a highway condition survey of the vehicular access off the C153.

7.34 The applicant has advised that 20no car parking spaces can be accommodated on site without prejudicing highway land. The parking for the cabins will be made up from the existing car parking for the golf course but will be used during the late evenings and nights, when the course is closed. The applicant has also stated that additional spaces could be provided where necessary. Overall, HDM believes that there is sufficient car parking within a large site to accommodate this proposal without impacting on the highway.

7.35 The application will use the existing site access to N1 Golf and no highway safety concerns have been identified. A swept path analysis will no longer be required as there is sufficient space to turn within the site close to the Golf Course car park.

7.36 A construction method statement is recommended as a condition and no details have been provided for both refuse storage/strategy and cycle parking for the cabins. A recommended condition can be provided to the Local Planning Authority for these aspects.

7.37 Concerns have been received from local residents regarding the potential use of the eastern field gate by visitors, insufficient parking provision, improvements should be required for the existing road infrastructure and questions raised over the proposed traffic flows and requirement for transport assessments. In response to this Highways Development Management undertook a full assessment and concluded that the proposals, as presented, are unlikely to have a severe impact on highway safety with a suitable access point, adequate parking has been provided, and the surrounding highway network can accommodate the extra trips likely to be generated. In addition, the proposals are of such a scale that they did not meet the thresholds to require the submission of a transport assessment or statement.

7.38 In terms of the field gate access to the east, this does not fall within the application red line boundary and was not considered as an access route as part of this scheme. The documentation submitted with the application states that access is to be solely taken from the C153 to the west at the existing junction that currently serves the Golf Course and Driving Range, and no vehicular or pedestrian access is to be taken from the field gate to the East on the C151. If deemed necessary, any approval could include a condition restricting any vehicular/pedestrian access relating to the occupants of the holiday lodges, so that they can only take access from the C153 to the west and not from the existing gated access off the C151.

7.39 The applicant states that it is very practical for guests to be transported safely across the site via golf buggies as there is separation between the driving range and

the route which would be taken. There is also no intention on using the existing eastern field gate.

7.40 Overall, HDM do not object to the application on highway safety grounds subject to the imposition of conditions and informatives with regards to car parking, cycle parking, refuse storage/strategy and construction methodology. As such the application is in accordance with NLP policies TRA1, TRA 2 and TRA 4 and the NPPF.

## **Ecology**

7.41 Policy ENV 2 states that development proposals affecting biodiversity and geodiversity, including designated sites, protected species, and habitats and species of principal importance in England (also called priority habitats and species), will:

*“a. Minimise their impact, avoiding significant harm through location and/or design. Where significant harm cannot be avoided, applicants will be required to demonstrate that adverse impacts will be adequately mitigated or, as a last resort compensated for;  
b. Secure a net gain for biodiversity as calculated, to reflect latest Government policy and advice, through planning conditions or planning obligations”*

7.42 The site is an existing area of improved grassland habitat, having been managed as such for c.20 years and used most recently as an amenity space (archery). There is no proposed change to this habitat in and around the plots as visitors will use the main golf centre car park and be transported to the holiday cabins. It is reasonable to assume the grassland beneath the cabins will die back however they do not require foundations. There will be temporary ground disturbance through the installation of services (electric, drainage etc).

7.43 The western half of the site is bounded to the south by an area of mature deciduous woodland identified on the national habitat inventory as a Habitat of Principal Importance (HPI) under s41 of the Natural Environment and Rural Communities Act 2006, making it a priority for conservation. To the south-eastern part of the site is an existing residential development with mature trees along the boundary and within the site there are areas of scattered scrub along this boundary. To the east is a plantation woodland and minor road. To the north of the site is an area of young woodland/willow scrub and grassland mosaic which has established in the last 10 years, it is likely this was established under a Farm Woodland Premium Scheme (Forestry Commission data).

7.44 The location of the development is outside of the HPI woodland to the south, and no tree removal is proposed. The Planning Statement reads *‘...the proposed development has been designed to avoid impact on surrounding habitats, with a buffer from existing trees, low level lighting and drainage to be provided within the grassland area.’* This has been clearly marked on the Proposed Site Plan as ‘Landscaping Buffer Zone’ and Rev C (27/01/23) shows the depth of the buffers to be c.11-13m and retained as grassland, this is considered sufficient to protect the root zone of the adjacent off-site trees. Specifications about this area would need to be secured through a planning condition. No new boundary fencing is currently proposed for the site. It is recommended that where no fencing is already in place, standard post + rail

fencing is installed to help prevent human disturbance but still allow the movement of animals across the site.

7.45 An outline Noise Management Plan has been submitted, as required by NCC Environmental Protection. The layout of the cabins has been amended to ensure that the front elevation of the cabins is facing the central part of the site, which NCC Ecology support as it would also reduce noise disturbance and light spill onto adjacent habitats.

7.46 No lighting scheme has been provided with the application, details of this could be secured through a pre-occupation planning condition to enable the assessment of potential impacts on adjacent habitats.

7.47 Foul drainage will be treated using a small package treatment site which is shown located at the western end of the site, within the area of improved grassland. There are legally binding requirements in regulations that set the minimum standards or conditions which apply to small sewage discharges which is being assessed by the Environment Agency.

7.48 Standard best practice during construction should be used to avoid impacts on wildlife and prevent pollution to the environment, and this should be included in an advisory note.

7.49 The planning statement also includes reference to the provision of bat boxes and native tree planting to provide an enhancement for biodiversity within the design of the development. This would be in accordance with NPPF paragraph 174d which states *"[Planning] decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity..."* and paragraph 180d states *"...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity."* This is echoed in NLP Policy ENV2. Specific details have not been provided with the application and bird nest boxes are likely to be more suitable on this site, but it would be acceptable to secure them through a planning condition.

7.50 As an additional enhancement it is proposed to actively manage the woodland/scrub/grassland habitats on land to the north of application site, and a woodland management plan and map have been submitted with the application. The management plan would need to be revised and expanded, informed by a baseline of the land's ecological condition, with a survey undertaken at a suitable time of year (April-July), this is particularly important as no ecology surveys have been undertaken of this area. No information on history of this area has been provided, but it appears to have only been established in the last 20 years possibly through a Farm Woodland Premium Scheme (FWPS) so there may be existing obligations on the land. However, it is likely that sensitive management could provide an enhancement for biodiversity if undertaken in the right way and this is welcomed and be secured for a minimum of 30 years. As it is now outside of the optimum season for a baseline ecology survey, Ecology would accept a planning condition to secure a revised management plan.

7.51 There has been concerns received from local residents with the detrimental impact to wildlife and biodiversity with questions raised why an Ecology survey is not part of the application with a desk top study included within the representations. In response to this, the NCC County Ecologist reaffirms the need for LPA's to take a proportionate approach in making planning decisions, which is enshrined throughout Government's Planning Practice Guidance and as with other supporting information, local planning authorities should only require detailed ecological surveys where clearly justified. This is also reflected in the British Standard 42020:2013 Code of Practice for Planning and Development.

7.52 NCC's ecologist has fully reviewed the report '*Ecological Desk Top Impact Assessment Tranwell Woods, Northumberland March 2023*' within the local representations. This has not had direct access to the site and instead has carried out a desk study using the same resources accessed by the LPA. The report does not provide any new substantive information that would alter the advice already given or be material to the planning decision.

7.47 The report makes three conclusions:

1. *'Without any mitigation the proposed works will result in high negative impact on the vegetation and nearby habitat with a moderate conservation and wildlife value'.*
2. *'The do-nothing option would allow the wildlife to continue to use the whole of Tranwell Woods as they do at present'.*
3. *'The provision of mitigation and enhancement in the form of bat and bird boxes will not necessarily compensate for the impact of holiday makers in a presently tranquil area of greenbelt'.*

7.53 It is considered that avoidance and mitigation measures proportionate to the extent of the proposals impact on biodiversity can be secured through planning conditions, as recommended by NCC's ecologist. The proposed development impacts an area of amenity grassland and does not result in any further loss of, or unacceptable impacts on the adjacent deciduous woodland Habitat of Principal Importance. The site will remain permeable to wildlife. Lastly, Biodiversity is not one of the purposes of Green Belt as set out in the NPPF and NLP STP8 and the assessment of the biodiversity has been appraised in the Green Belt section of the report.

7.54 Overall, there are no objections to the application from the NCC Ecologist subject to conditions for mitigation and biodiversity enhancements. As such, the application is in accordance with NLP Policy ENV 2 and the NPPF.

### **Water Quality**

7.55 NLP Policy WAT 2 states that non-mains drainage systems, such as package treatment plants should only be employed where the development is sufficiently remote from sewered areas. In such locations, septic tanks should only be employed, in very exceptional circumstances, where on-site treatment is totally unfeasible. Where non-mains drainage systems meet these criteria and are the only solution, careful consideration of their precise siting and design will be required to ensure that there is no adverse impact upon groundwater, water quality or existing ecosystems.

7.56 The Environment Agency (EA) object to the application as submitted because the applicant has not supplied adequate information to demonstrate that the risks of pollution posed to water quality can be safely managed. The development also involves the use of a non-mains foul drainage system in circumstances where it may be reasonable for the development to be connected to a public sewer, but no justification has been provided for the use of a non-mains system. It is recommended that planning permission should be refused on this basis.

#### *Foul Drainage Assessment*

7.57 The submitted Foul Drainage Assessment (FDA) form is incomplete and is lacking clarity. The EA consider that the following sections need to be revisited:

- 5. Assertion that the foul drainage field will be designed in accordance with BS6297:2007 cannot be justified as:
- 6. Percolation tests showing the suitability of the ground for soakaway, including the sizing required, has not been submitted
- 6b. There is no justification as to why percolation tests have not been submitted, which are required
- 10. The calculated discharge volume of 150l/cabin/day is unrealistic.
- Guidance notes - section 2 incomplete

The provided site plan does not indicate the location of the proposed soakaway and clarification is sought on how the discharge volume has been calculated and the maximum occupancy per cabin should be clarified.

#### *Inadequate justification for non-connection to main sewer*

7.58 Private sewage treatment facilities should only be used where it is not reasonable for a development to be connected to a public sewer, because of the greater risk of failures leading to pollution of the water environment posed by private sewerage systems compared to public sewerage systems.

7.59 In this instance, the justification provided by the applicant for non-connection to mains sewer is deficient in the following respects:

- The provided justification for non-connection to mains sewer includes correspondence with NWL, which indicates that the nearest sewer asset is over 550 meters east of the site boundary. This distance has been calculated using the incorrect/previous site location. The distance from the nearest sewer asset should be revised to reflect the updated site location which has been moved closer to this network. A plan from NWL should be provided indicating the location of the nearest sewer network to the site, which is currently missing from the application.

7.60 The application should thoroughly investigate the possibility of connecting to the public foul sewer, and either revise their application to propose a mains connection or submit evidence that demonstrates that this is not feasible in this instance.

7.61 In this case the proposed development may pose an unacceptable risk of causing a detrimental impact to the water environment as the application has failed to indicate the adequacy of foul drainage disposal and therefore does not accord with NLP Policy WAT 2.

### **LLFA**

7.62 Policy WAT 3 relates to flooding and states that surface water should be managed at source wherever possible, so that there is no net increase in surface water run-off for the lifetime of the development. Where greenfield sites are to be developed, the surface water run-off rates should not exceed, and where possible should reduce, the existing run-off rates. Policy WAT 4 further promotes Sustainable Drainage Systems that should be incorporated into developments whenever necessary, in order to separate, minimise and control surface water run-off, in accordance with national standards and any future local guidance.

7.63 Reviewing the documents submitted the Lead Local Flood Authority (LLFA) object to this application on flood risk and drainage grounds as the planning application is proposing 20 units so will require a drainage statement to be supplied. There have also been concerns raised from local residents that local flooding is an existing issue in the area and the proposed development would further increase the surface water run-off.

7.64 A drainage strategy should include a proposal for a discharge point using the hierarchy of preference Infiltration; Watercourse then Sewer. The discharge rate to the proposed location should be confirmed and if not via infiltration the attenuation requirements to meet this discharge rate is required.

7.65 In general, there has been no consideration given for flood risk to or from the site. The planning statement does not give sufficient detail on surface water management. Paragraph 5.16 states *“Taking into account the above the proposed drainage strategy for the site is to utilise existing infiltration and field drains”* however, no details on these land drains or how water will be directed to them has been supplied.

7.66 The LLFA requires confirmation that the site can drain with the results from testing in accordance with BRE DIGEST 365. If it is demonstrated that infiltration is not feasible, there should be clarity on which areas within the development will be permeable and details of how the areas that are not permeable will drain.

7.67 Overall, the application is not supported by a Drainage Strategy therefore the impact on surface water flooding cannot be assessed. As such the LLFA object to the application and it is not in accordance with NLP policy WAT 3 and the NPPF.

### **Other issues**

7.68 Public Protection has no concerns relating to soil contamination following the submission of a satisfactory screening assessment form and therefore the scheme accords with NLP Policies POL 1 and POL 2.



## **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. Conclusion**

8.1 There are positive factors with the scheme such as economic and tourism benefits near Morpeth that would also increase visitors to other areas of Northumberland. There are also proposals to enhance an area of woodland and provide biodiversity gains. The harm to the Green Belt however, must be afforded substantial weight in the assessment and the harm arising from the development is not clearly outweighed by very special circumstances.

8.2 In addition, the proposed development may pose an unacceptable risk of causing a detrimental impact to the water environment as the application has failed to indicate the adequacy of foul drainage disposal and is also not supported by a Drainage Strategy therefore the impact on surface water flooding cannot be assessed.

8.3 As such the application conflicts with the Northumberland Local Plan, Morpeth Neighbourhood Plan and NPPF and is recommended for refusal.

## **9. Recommendation**

That this application be REFUSED permission subject to the following:

### Conditions/Reason

1. The application site lies within the Northumberland Green Belt. The proposal represents inappropriate development in the Green Belt that would, by definition, be harmful to the Green Belt. The proposal would result in harm to the openness of the Green Belt and would be contrary to the purposes of including the land within it. Very special circumstances which outweigh harm to the Green Belt have not been demonstrated the proposed development is therefore considered to be contrary to Northumberland Local Plan Policies STP 1, STP 8 and ECN 16 and Chapter 13 of the NPPF.
2. The application fails to demonstrate how surface water and flood risk will be appropriately mitigated on site. The application therefore conflicts with policies WAT 3 and WAT 4 of the Northumberland Local Plan, Policy Inf1 of the Morpeth Neighbourhood Plan and the National Planning Policy Framework.
3. The application fails to demonstrate how foul sewage will be appropriately disposed of at the site. The application therefore conflicts with policies WAT 3 and WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework.



# Northumberland County Council

## Appeal Update Report

Date: June 2023

### Planning Appeals

**Report of the Director of Planning**

**Cabinet Member:** Councillor CW Horncastle

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#### **Purpose of report**

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

#### **Recommendations**

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

#### **Link to Corporate Plan**

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

#### **Key issues**

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.



# Recent Planning Appeal Decisions

## Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
22/03313/AGTRES	<p>Prior notification for change of use and conversion of agricultural building to single dwelling – The March Barn, Welton</p> <p>Main issues: the proposal involves significant building operations that go beyond what is reasonably necessary to convert the building and therefore it is not permitted development.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/00394/FUL	<p>Retrospective: Construction of pergola and decking within existing beer garden – The Dyvels Hotel, Station Road, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt with no demonstrated very special circumstances to outweigh the harm; and harm to the character and appearance of the building and the surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	Partial award

## Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
None		

## Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
19/04687/OUT	<p>Outline permission for development for up to 43 residential dwellings (Use Class C3), demolition, infrastructure, access, open space and landscaping (All matters reserved except for access) - land north of Eilansgate, Hexham</p>	No

	<p>Main issues: inappropriate development in the Green Belt; lack of information in relation to ecological impacts; loss of woodland and larger trees would impact the setting of the Conservation Area; lack of information in relation to drainage and flood risk; and the application does not secure necessary planning obligations in respect of affordable housing, healthcare and education.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
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## Planning Appeals Withdrawn

Reference No	Proposal and main planning considerations	Award of costs?
None		

## Planning Casework Unit Referrals

Reference No	Proposal and main planning considerations	Award of costs?
None		

## Planning Appeals Received

### Appeals Received

Reference No	Description and address	Appeal start date and decision level
21/03396/FUL	<p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 &amp; 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	<p>appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.</p>	
21/03397/LBC	<p>Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 &amp; 5 Front Street with replacement extension(s), internal alterations and alterations to boundary walls – 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02696/S106A	<p>Variation of S106 Agreement relating to planning permission A/2004/0323 dated 3rd February 2005 – Hawkshaw, Old Swarland, Swarland</p> <p>Main issues: the S106 continues to serve a useful purpose and insufficient information has been submitted to demonstrate that there is no longer a requirement for discount market value accommodation for a local person(s) in the area.</p>	<p>7 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00913/FUL	<p>Resubmission of approval 18/03632/REM for the construction of two detached dwellings and associated works – land to north west of Blue House Farm Cottages, Blue House Farm Road, Netherton Colliery</p> <p>Main issues: isolated residential development in the open countryside; and no planning obligation secured in respect of a contribution to the Coastal Mitigation Service or other alternative mitigation.</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04208/FUL	<p>Proposal to erect a single self-build dwelling house – land south west of Hazeldene Cottage, Sinderhope</p> <p>Main issues: isolated development in the open countryside in an unsustainable location; fails to conserve and enhance the natural beauty and scenic qualities of the</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	North Pennines AONB; visibility splays from the access are inadequate; insufficient information to assess ecological impacts; and insufficient information regarding foul water drainage.	
21/01833/FUL	Development of 60 no. Pitches for holiday accommodation comprising touring caravan/campervan pitches and tents – land at Elwick Farm, Belford  Main issues: unsustainable major tourism in the open countryside; lack of information in relation to impacts on wildlife; lack of information in respect of a nutrient calculation relating to the Lindisfarne SPA; and lack of information relating to surface water drainage and highways.	10 January 2023  Delegated Decision - Officer Recommendation: Refuse
22/00394/FUL	Retrospective: Construction of pergola and decking within existing beer garden – The Dyvels Hotel, Station Road, Corbridge  Main issues: inappropriate development in the Green Belt with no demonstrated very special circumstances to outweigh the harm; and harm to the character and appearance of the building and the surrounding area.	13 January 2023  Delegated Decision - Officer Recommendation: Refuse
22/01812/FUL	Proposed detached single storey garage and store with associated formation of driveway – Eland Close, Eland Land, Ponteland  Main issues: inappropriate development in the Green Belt and the open countryside.	24 January 2023  Delegated Decision - Officer Recommendation: Refuse
21/02287/FUL	Convert and extend redundant cow byre to residential use (C3) for holiday let – Waterside Cottage, Acklington  Main issues: development in an unsustainable location within the open countryside; insufficient information to justify non-mains foul drainage; insufficient information to demonstrate the proposal would not sterilise and identified sand and gravel resource; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC; and loss of ancient woodland with no exceptional circumstances or suitable compensation strategy.	25 January 2023  Delegated Decision - Officer Recommendation: Refuse
22/03609/AGTRES	Notification of Prior Approval to convert an existing but now redundant agricultural	25 January 2023  Delegated

	<p>building on the Guyzance Estate for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p>	<p>Decision - Officer Recommendation: Refuse</p>
22/03324/FUL	<p>Erect a feed barn for storage of animal feed – Eastside, Partnership Field, Springwell, Ovington</p> <p>Main issues: inappropriate development in the Green Belt.</p>	<p>13 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04634/FUL	<p>Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst</p> <p>Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its setting.</p>	<p>16 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01297/FUL	<p>Development of 4 no. residential dwellings including associated access, landscaping and all other ancillary works – land north of junction of Station Road, South End, Longhoughton</p> <p>Main issues: would fail to preserve the setting of the Grade I listed Church of St Peter and St Paul; harmful impact on the character and appearance of the area; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p>	<p>21 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02704/CLEXIS	<p>Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley</p> <p>Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.</p>	<p>27 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02969/FUL	<p>Proposed new rear/side fence. (Retrospective) - 4 Admington Court, Sherbourne Park, Stakeford, Choppington</p>	<p>20 March 2023</p> <p>Delegated</p>



	<p>Main issues: scale and design of the development are out of character in the street scene with detrimental visual appearance; and situated on adopted highway verge with insufficient evidence to demonstrate it will not harm the current and future maintenance of utilities and other associated works.</p>	<p>Decision - Officer Recommendation: Refuse</p>
22/03417/OUT	<p>Outline application with some matters reserved for development of one residential dwelling (Self Build); all matters reserved other than access – land north of Hill Top Cottage, Morpeth</p> <p>Main issues: development within the open countryside; inappropriate development in the open countryside; fails to promote the use of sustainable travel; fails to demonstrate that safe access can be achieved; and fails to demonstrate potential impacts on protected species and how these can be mitigated.</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04124/FUL	<p>Erection of stables, tackroom and associated horse paddock – land east of Oakfield Lodge, Eachwick</p> <p>Main issues: inappropriate development in the Green Belt; and visually intrusive and harmful impact on the character and appearance of the site and surrounding landscape.</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01121/FUL	<p>Proposed new dwelling house and outbuilding with associated works to building plots 1 and 2 – Plots 1 and 2, land south west of Castle Hills Farm Cottages, Castle Hills, Berwick-upon-Tweed</p> <p>Main issues: development in the open countryside; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC</p>	<p>22 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03696/FUL	<p>Retrospective application for works carried out to add pillars with metal railings between at front boundary wall; stone face side wall between front and rear garden and construction of raised timber deck – Woodstock, Mill Lane, Haltwhistle</p> <p>Main issues: harm to the character and appearance of the Conservation Area; and harmful impact on residential amenity.</p>	<p>22 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

21/04592/FUL	Demolition of 2 no. youth hostel cabins and erection of 8 no. caravan pitches and children's play area (as amended) - Hareshaw Linn Caravan Park, Bellingham  Main issues: harmful visual impacts on the character and appearance of the site and surrounding area; and harmful impacts on residential amenity.	23 March 2023  Delegated Decision - Officer Recommendation: Refuse
22/04246/FUL	Proposed single storey garage extension including a study and a shower room – 57 Church Street, Amble  Main issues: scale and design results in adverse impact on the character and appearance of the existing dwelling and the surrounding area.	23 March 2023  Delegated Decision - Officer Recommendation: Refuse
22/04507/FUL	Demolition of existing ground floor rear extension and replacement with two storey rear extension – The Coach House, Fenwicks Close Farm, Earsdon  Main issues: inappropriate development in the Green Belt; and disproportionate addition that would be incongruous with the character of the area.	3 April 2023  Delegated Decision - Officer Recommendation: Refuse
22/00637/FUL	Alterations and extension – 2 West Hedgeley, Powburn  Main issues: design would be out of scale and character with the existing property and surrounding area, and would harm the setting of Grade II listed buildings.	4 April 2023  Delegated Decision - Officer Recommendation: Refuse
22/04665/FUL	Proposed first floor extension over existing sun room and installation of a fixed window to the southern gable wall at high level – 63 Merley Gate, Loansdean, Morpeth  Main issues: the extension would constitute an incongruous addition that would be out of character with the dwelling and built context; and harmful impact upon residential amenity.	12 April 2023  Delegated Decision - Officer Recommendation: Refuse
22/00437/FUL	Change of use of land from equestrian grazing use to campsite use – land north east of Bolam Lake Boat House Wood Car Park, Belsay  Main issues: inappropriate development in the Green Belt.	13 April 2023  Delegated Decision - Officer Recommendation: Refuse
22/03911/FUL	Proposal for a new family 1.5 storey dwelling with a garage, external parking and associated services - (Self Build) - 7 Springfield Meadows, Alnwick  Main issues: design and visual appearance;	24 April 2023  Delegated Decision - Officer Recommendation:

	and fails to secure a contribution towards coastal mitigation measures.	Refuse
22/04369/FUL	Proposed replacement windows – 6 Albert Place, Berwick-upon-Tweed  Main issues: fails to conserve and enhance the significance of the Conservation Area; and results in harm to the Conservation Area that is not outweighed by public benefits.	25 April 2023  Delegated Decision - Officer Recommendation: Refuse
22/03876/FUL	A storage shed and polytunnel to support existing woodland maintenance – land at south east of Pit Allotment Wood, Corbridge  Main issues: inappropriate development in the Green Belt.	16 May 2023  Delegated Decision - Officer Recommendation: Refuse
22/01012/FUL	Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at Barley Hill House Barn, Kiln Pit Hill, Consett  Main issues: design fails to reflect the character or appearance of the listed farm building and results in harm to the character and appearance of the listed building.	17 May 2023  Delegated Decision - Officer Recommendation: Refuse

## Recent Enforcement Appeal Decisions

### Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

### Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
18/01525/ENDEVT	Change of use of the land for the stationing of 2 caravans including a linking structure for residential purposes - School House Farm, Kiln Pit Hill, Consett	No
18/01525/ENDEVT	Erection of a building used to house parrots and other animals; the erection of a corrugated steel barn; the erection of 2 timber structures to accommodate birds;	No

	and the construction of a hardstanding area - School House Farm, Kiln Pit Hill, Consett	
22/00571/ENDEVT	Unauthorised siting of a caravan – land south-west of Hartburn Bridge, Morpeth  (enforcement notice upheld with some variations)	No

### Enforcement Appeals Withdrawn

Reference No	Description and address	Award of costs?
None		

## Enforcement Appeals Received

### Appeals Received

Reference No	Description and address	Appeal start date
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	6 April 2022  Hearing date: 22 November 2022
22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	6 April 2022  Hearing date: 22 November 2022
20/00481/ENDEVT	Change of use of a forestry building for use as residential - English/Wheelings Wood, Corbridge	2 March 2023
21/00865/BRCOND	Construction of retaining wall – Woodlands Rise, Corbridge Road, Hexham	23 March 2023

# Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
18/03394/REM	<p>Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping and other associated infrastructure – land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: the design fails to preserve or make a positive contribution to local character and distinctiveness, and the site's surroundings, and fails to create or contribute to a strong sense of place. The development does not demonstrate high quality sustainable design, is not visually attractive, does not incorporate high quality materials and detailing, and is substantially altered from the approved outline planning application.</p>	<p>Hearing - 27 June 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>
21/02077/FUL	<p>Proposed construction of 13no dwellings (including 2no affordable dwellings), creation of new access, car parking and soakaways (amended description) - land south east of The Manor House, Riding Mill</p> <p>Main issues: harm to the character and appearance of the site and surrounding area and curtilage listed boundary wall; harm to residential amenity; does not make sufficient provision for affordable housing on the site; insufficient information to fully assess the impacts of the proposed development on ecology and biodiversity and net gain for biodiversity; does not secure necessary planning obligations in respect of affordable housing, open space and education.</p>	<p>Hearing date to be confirmed</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03915/LBC	<p>Listed Building Consent for demolition of a section of existing curtilage listed boundary wall to create access for residential development – land south east of The Manor House, Riding Mill</p> <p>Main issues: loss of historic fabric and unacceptable alteration of the historic</p>	<p>Hearing date to be confirmed</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	curtilage listed boundary wall.	
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## Implications

<b>Policy</b>	Decisions on appeals may affect future interpretation of policy and influence policy reviews
<b>Finance and value for money</b>	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
<b>Legal</b>	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
<b>Procurement</b>	None
<b>Human resources</b>	None
<b>Property</b>	None
<b>Equalities (Impact Assessment attached?)</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Planning applications and appeals are considered having regard to the Equality Act 2010
<b>Risk assessment</b>	None
<b>Crime and disorder</b>	As set out in individual reports and decisions
<b>Customer consideration</b>	None
<b>Carbon reduction</b>	Each application/appeal may have an impact on the local environment and have been assessed accordingly
<b>Wards</b>	All where relevant to application site relating to the appeal

### Background papers

Planning applications and appeal decisions as identified within the report.

### Report author and contact details

Elizabeth Sinnamon  
Development Service Manager



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