

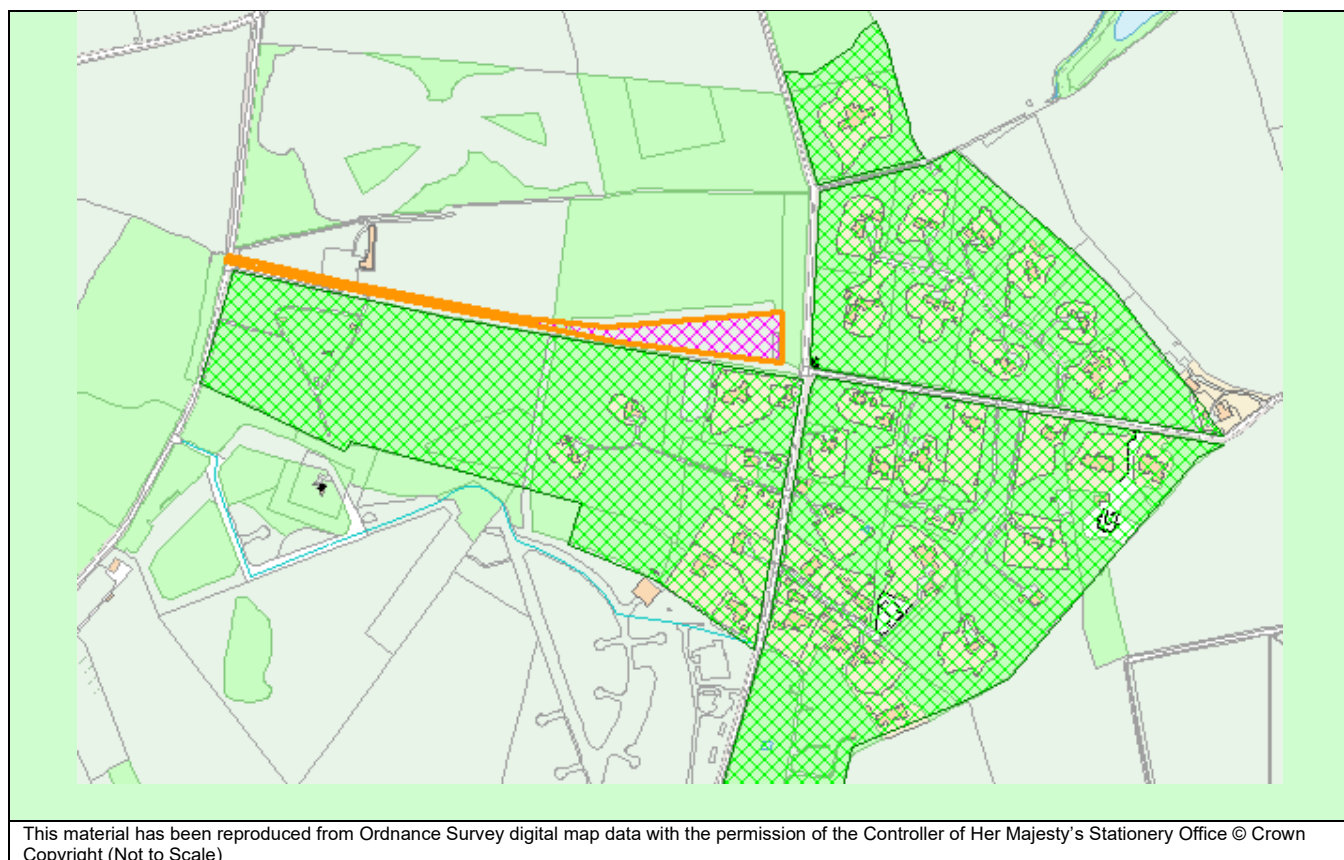


Northumberland County Council

Castle Morpeth Local Area Committee 12th June 2023

Application No:	22/03226/COU		
Proposal:	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.		
Site Address	Morpeth Archers Site, Tranwell Woods, Morpeth, Northumberland NE61 6AQ		
Applicant:	Malone N1 Golf Centre Ponteland Road, Northumberland, Morpeth, NE61 3FR	Agent:	Miss Hannah Wafer Dean Street Arch, 22 Dean Street, Newcastle, NE1 1PG
Ward	Longhorsley	Parish	Mitford
Valid Date:	7 September 2022	Expiry Date:	17 February 2023
Case Officer Details:	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



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 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 23rd September 2022 & 4th 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 19th October 2022 with 63 signatures objecting to the development.

An additional petition on 26th 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 space 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.