



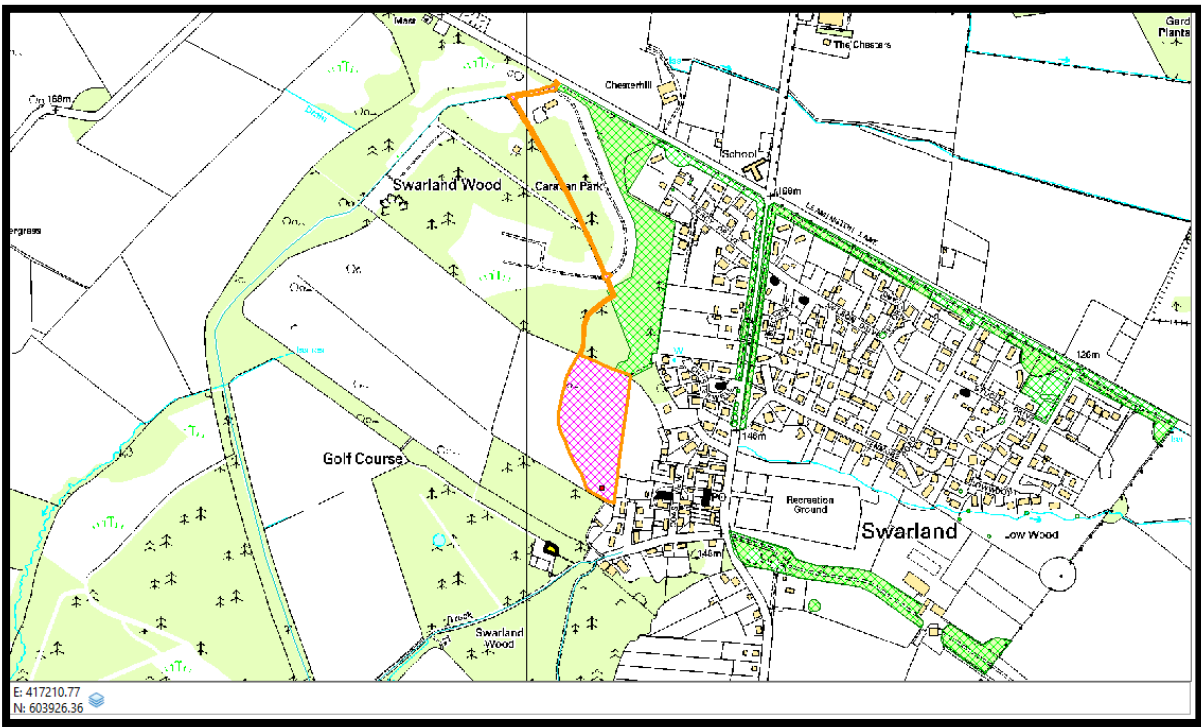
# Northumberland County Council

## NORTH NORTHUMBERLAND LOCAL AREA COUNCIL PLANNING COMMITTEE 24<sup>th</sup> March 2022

<b>Application No:</b>	19/01687/FUL		
<b>Proposal:</b>	Change of use of land for the siting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping.		
<b>Site Address</b>	Land North West Of Springwood Coast View Swarland		
<b>Applicant:</b>	Harrison Leisure UK Ltd /o Agent (Mr H Emms) Lichfields The St Nicholas Building St Nicholas Street Newcastle Upon Tyne NE1 1RF	<b>Agent:</b>	Mr Harvey Emms Lichfields The St Nicholas Building St Nicholas Street Newcastle Upon Tyne NE1 1RF
<b>Ward</b>	Shilbottle	<b>Parish</b>	Newton-on-the-Moor And Swarland
<b>Valid Date:</b>	03rd October 2019	<b>Expiry Date:</b>	31st July 2020
<b>Case Officer Details:</b>	Name: Mr Tony Lowe Job Title: Principal Planning Officer Tel No: 01670 622708 Email: tony.lowe@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission subject to the conditions below and S106 Legal Agreement to secure the following obligations:-

- Financial contribution towards the Councils Coastal Mitigation Service (£10,040)
- Financial contribution to fund a Traffic Regulation Order (TRO) and relocation of the existing 30mph / National Speed Limit change, northwards on Leamington Lane (£7,000)



## 1. Introduction

1.1 Following an objection from the Parish Council the application was referred to the Director of Planning and the Chairman of the North Northumberland Local Area Planning Committee for their consideration as to whether the application must go to committee or can be determined under delegated powers. It has been decided the application must be determined by the Planning Committee.

## 2. Description of the Site and Proposals

2.1 The site is part of Percy Wood Golf and Country Retreat, a large site comprising a golf course and caravan park.

2.2 The application site is a small portion to the southwest which is currently used as a driving range for the golf course. The site measures 2.5 hectares.

2.3 The site is bounded by woodland in the ownership of the applicant to the north and south and by the golf course to the west. The field to the east of the application site has outline planning permission for nine dwellings (17/00500/OUT, granted 31 May 2019).

2.3 Full planning permission is sought for 60no. static caravans on the site of existing golf driving range. Landscaping is proposed to site boundaries. Vehicular access to the development is proposed from Leamington Lane via the existing holiday park and a track through woodland leading to the site. The existing 18 hole golf course will remain unaffected by these proposals.

2.4 The site is not allocated for any particular purpose within the Development Plan.

2.5 The site is located within the risk zone of a SSSI.

## 3. Supporting Information

- Planning and Economic Statement
- Design and Access Statement
- Transport Assessment and Framework Travel Plan
- Preliminary Ecological Appraisal and specialist survey reports
- Arboricultural Impact Assessment, Method Statement and Protection Plan
- Flood Risk Assessment and Drainage Strategy
- Archaeology Impact Assessment
- Construction Environmental Management Plan Report

#### 4. Planning History

**Reference Number:** 17/00194/FUL

**Description:** Reconfiguration of existing golf course, change of use of land to accommodate up to 216 holiday caravans, erection of leisure 'hub' building and separate golf building, and associated access and landscaping works. Withdrawn.

#### 5. Consultee Responses

Newton on the Moor and Swarland PC	Newton on the Moor and Swarland PC objects to the application on the grounds of adverse visual impact on the open countryside, the development being too close to residents; sewerage and drainage; access and traffic and sustainability.
Highways	No objections subject to conditions to secure works to the adopted highway and S106 legal agreement to secure £7k towards a Traffic Regulation Order.
Public Protection	No objection subject to conditions controlling contaminated land and ground gas.
County Ecologist	No objections to the proposals on ecological grounds are raised subject to conditions to ensure the avoidance, mitigation and enhancement measures detailed in the application are carried out in full and subject to a legal agreement to secure a financial contribution towards the Council's Coastal Mitigation Service.
Lead Local Flood Authority (LLFA)	No objections subject to conditions
Building Conservation	No objection. No harm has been identified by these proposals.
County Archaeologist	There are no objections to the proposed development on archaeological grounds. No archaeological work is recommended.
Refuse and Waste Strategy	No response
Tree and Woodland Officer	No response
Education	No contributions sought

Health CCG	Financial contribution sought to mitigate for the impact of development on health care in the locality - request subsequently withdrawn
Architectural Liaison Officer - Police	No objections to the application progressing
Fire & Rescue Service	No objection in principle to the proposals.
Natural England	No objections subject to coastal mitigation
National Highways	Having considered the revised GG104 Safety Risk Assessment dated 10 November 2021, submitted in support of the planning application, this addressed the comments made by National Highways in response to the previous version. Founded on the results of the assessment and following additional examination of the 5-year collision data provided therein, National Highways are content to offer no objection to the application being determined.
Forestry England	In this case the FE are not a statutory consultee because the proposal does not affect Ancient Woodland. However, the FE have submitted comments because the FE own land outside the red line boundary (to west of Springwood) and have concerns regarding impact of the proposals on their land.

## 6. Public Responses

### Neighbour Notification

Number of Neighbours Notified	15
Number of Objections	87
Number of Support	0
Number of General Comments	0

### Notices

Site Notice – posted at the site 1st November 2019 and again 26<sup>th</sup> June 2021

Press Notice - Northumberland Gazette - Published 17<sup>th</sup> October 2019 and again 11<sup>th</sup> March 2021

### Summary of Responses:

87no. letters of objections have been received in response to the publicity of this application. The objections primarily relate to

- Impact on the amenity of residents having regards to noise and disturbance from holiday makers
- Drainage, flood risk and sewerage concerns
- Ecology having regards to impact on Woodland, Great Crested Newts and Red Squirrels amongst other matters
- Highway safety matters
- Precedent for further development
- Impact on visual amenity and the landscape

- Procedural issues with the application regarding publicity, consultation and the application meeting statutory requirements and requirements of the Northumberland Local Validation Checklist
- Archaeology concerns
- Impact on air quality
- Consultation with Highways England
- Photographic evidence of the site and complaints regarding the burning of materials, parking and traffic

It must be noted that the above is a summary of the main issues raised. All objections can viewed online in full via the Councils website at:

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PS0KJVQSGAM00>

## **7. Planning Policy**

### 7.1 Development Plan Policy

Alnwick LDF Core Strategy (2007)

S1 Location and scale of new development  
 S3 Sustainability criteria  
 S8 Economic Regeneration  
 S10 Tourism Development  
 S11 Locating development to maximise accessibility and minimise impact from travel  
 S12 Protecting and enhancing biodiversity and Geodiversity  
 S13 Landscape character  
 S14 Development in the open countryside  
 S16 General Design principles

Alnwick District Wide Local Plan (1997)

TT5 Controlling car parking provision (and Appendix E)  
 T4 Criteria Policy to assess Caravan Developments  
 APPENDIX E Car parking standards for development  
 CD32 Controlling development that is detrimental to the environment and residential amenity

### 7.2 Emerging Development Plan Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP1 - Spatial strategy  
 STP2 - Presumption in favour of sustainable development  
 STP3 - Principles of sustainable development  
 STP4 - Climate change mitigation and adaptation  
 QOP1 - Design Principles  
 QOP 4 - Landscaping and trees  
 TRA2 - The effects of development on the transport network

ENV1 - Approaches to assessing the impact of development on the natural, historic and built environment  
ENV2 - Biodiversity and geodiversity  
ENV 3 - Landscape  
ECN 12 - Business in rural locations  
ECN14 - Rural business diversification  
ECN 15 - Tourism development  
INF 6 Planning obligations

### 7.3 National Planning Policy

National Planning Policy Framework (2021)  
Planning Practice Guidance

### 7.4 Other Documents/Strategies

Alnwick Landscape Character Assessment SPD (May 2010)

## **8. Appraisal**

8.1 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 comprises policies in the Alnwick LDF Core Strategy (2007) and the saved policies from the Alnwick District Wide Local Plan (1997) as identified above. The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

8.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF.

8.3 The independent examination of the Northumberland Local Plan (NLP) has concluded, and the Inspectors' report is published on the Council's website. The Inspectors consider that subject to a number of recommended Main Modifications, the NLP is 'sound' and provides an appropriate basis for the planning of the County. The Plan is in the final stage of preparation, there are no unresolved objections, and the Plan is consistent with national policy, and therefore significant weight can be given to the policies in the NLP.

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

- Principle of development
- Impact on landscape character
- Impact on amenity
- Impact on heritage assets
- Ecology and biodiversity
- Flood risk and drainage
- Ground conditions
- Highway safety
- Obligations

### Principle of the Development

8.5 The NPPF operates under a presumption in favour of sustainable development and identifies there are three dimensions to sustainable development; economic, social and environmental. The planning system needs to perform each of these roles.

8.6 The NPPF Paragraph 84 provides support for the proposal, stating that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

8.7 The applicant submits that as a business the golf course and clubhouse are operating at a loss. The applicant submits Percy Wood has mixed fortunes and increasingly, the income from the holiday caravans and lodges is subsidising the financial losses of the golf course and clubhouse. The proposals seek to address this imbalance and reduce and reconfigure the golf course to align with the demand. In particular, the proposals seek to provide up to 60 new caravans, on the existing driving range site. The proposed caravans would support the enhancements to Percy Wood whilst making effective use of an under-used site to provide a range of new accommodation at Swarland. The 18hole golf course layout would be unaffected by these proposals.

8.8 The NPPF seeks to promote economic growth. The proposals see the expansion of an existing business to address economic weaknesses. In economic terms there is strong support for the proposal with the planning framework.

8.9 In locational terms, Policy S1 of the Alnwick Core Strategy (ACS) identifies Swarland as a Sustainable Village Centre. ACS Policy S3 outlines sustainability criteria that generally need to be satisfied before permission is granted for new development. It includes that the site should be accessible to homes, jobs, shops services the transport network and modes of transport other than the private car; that there is adequate existing or planned capacity in the physical and community infrastructure and environmental needs can be mitigated and that potential implications of flood risk have been assessed.

8.10 Policy S10 (Tourism Development) of the ACS requires proposals for new tourism development to be located in, or adjacent to rural service centres, sustainable village centres and local needs centres. Swarland is identified as a Sustainable Village Centre and it is considered that the proposals would be in accordance with Policy S10.

8.11 The proposed development is located on an existing holiday park, adjacent to a Sustainable Village Centre and as such is considered an appropriate location for further tourism development in this case.

8.12 Furthermore, there is support for this proposal in the emerging Northumberland Local Plan which carries significant weight. Policy STP 1 (Spatial strategy) designates Swarland as a Service Village. The service villages are identified in Policy STP 1 as

the focus for investment in rural areas to support the provision and retention of local retail, services and facilities. The site is outside of the settlement boundary for Swarland and, therefore, the proposal will only be supported if it meets a number of criteria set out in Policy STP 1. The proposals accord with STP1, g (i) and g (iii); supporting the sustainable growth and expansion of an existing business and supporting or, adding to the range of sustainable visitor attractions and facilities appropriate to the area.

8.13 There is also support for the proposal from emerging Policy ECN 15, part F, which includes/ states that new or extensions to existing sites for camping, caravans and chalets will be supported in accessible locations outside the two AONBs and the World Heritage Site and its buffer zone, subject to adequate screening. The site is located in an accessible location, adjacent to an Urban Village Centre outside an AONB and World Heritage Site.

8.14. Policy STP 3 includes a set of sustainability principles which proposals need to adhere to, where appropriate. This includes the requirement to be accessible by, or be able to be made accessible by, public transport, walking or cycling where feasible, thereby reducing the need to travel for both people and goods, and the dependence on travel by private car. The nearest bus service to Swarland stops some 2 miles away and is not easily accessible on foot. The proposal will meet the sustainability criteria set out in STP3, where appropriate, in particular parts a, e, k and l.

8.15 The principle of development is acceptable and is sustainable in pure locational terms and having regard to the economic benefits of the proposal. In principle the development complies with the existing and emerging Local Plan and the NPPF. However, for development to be fully sustainable it must be sustainable in all other respects. Other impacts of the development are discussed in more detail in the following sections of this report.

#### Impact on landscape character

8.16 The NPPF seeks to conserve and enhance natural, built and historic landscapes. This is followed through in local planning policies, both current and emerging.

8.17 The Government attaches great importance to the design of the built environment and, through paragraph 127 of the NPPF, recognises that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people.

8.18 At the local level, Policy T4 of the Alnwick Local Plan considers the visual impact of caravan proposals. Policy S13 of ACS relates to landscape character and states that all proposals for development and change will be considered against the need to protect and enhance the distinctive landscape character of the district. All proposals will be assessed in terms of their impact on landscape features and should respect the prevailing landscape quality, character and sensitivity of each area as defined in the Alnwick District Landscape Character Assessment Supplementary Planning Document. Emerging policy ENV3, (landscape), which seeks to ensure the contribution that Northumberland's landscape make to its Environment, Economy and Communities, is recognised.

8.19 In the Alnwick Landscape Character Assessment SPD (May 2010) the site is within Character Area 18 - Longframlington/ Shilbottle Rolling Farmland, where emphasis is placed upon the restoration of landscape features, including priority is



addressing the decline in hedgerows, in order to improve visual and ecological coherence.

8.20 It is noted that objections have been received in response to the publicity of this application raising objections to the visual impact of the proposal and its impact on the wider landscape.

8.21 The applicant proposes 60no caravans accessed from the main access from the existing holiday park. The development is laid out along a central spine road north to south across the site. New landscaping is proposed. The caravans are to be constructed on concrete plinths. In design terms the applicant is still considering the manufacturers and suppliers of the caravans. However, the applicant submits that the development will be of high-quality design in this location.

8.22 It is accepted the application site itself will fundamentally change in character from golf course to use for static caravans and this will be apparent to residents adjacent to the site. However, it is considered the change will not be to the detriment to the character of the wider landscape. The site itself is self-contained within the existing golf course and holiday park. The development relates well to the existing urban form of Swarland and would be well screened by existing and proposed landscaping belts. As such the development would not be highly visible and as such the development would fit comfortably into the wider landscape in this case.

8.23 Conditions are recommended to ensure a coherent approach to the appearance of the development is achieved particularly in terms of design and colour palette. Other conditions are imposed to restrict the usage and number of caravans on the site.

8.24 Having regard to the above the development is deemed acceptable in terms of impact on landscape character. The development complies with the existing and emerging local plan and the provisions of the NPPF.

#### Impact on Residential Amenity

8.25 The NPPF advocates the creation of 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.

8.26 Alnwick District Local Plan Policy T4 relates specifically to caravan development and at 4) states that regard must be had to whether the siting and scale of development would adversely affect the amenities, or services enjoyed by those living in nearby residential development.

8.27 Local objections have been received from residents expressing concerns regarding the proximity of the development and potential for tourism development to impact on their amenity.

8.28 The nearest residents to be directly affected by this development are located to the southeast corner of the site located at Springwood and those approved directly to the east of the site by way of application 17/00500/OUT - not yet constructed.

8.29 It is accepted that the development would impact on existing resident's general visual amenity because the site would change in character from a green field site to caravans. However, those objections based on the loss of a view are not a material

planning consideration, in this instance and cannot be taken into account in the determination of this application.

8.28 However it is important to have regards to other standards of amenity relating to privacy, outlook, light and overbearing impact.

8.29 The layout shows 60no. caravans laid out on a north south axis across the site. It is considered that the development sits comfortably within the site and achieves acceptable standards of separation within and out-with the development. The separation distances to the east are approximately 20m to the shared site boundary. The separation distances to the southeast (with Springwood) are in excess of 35m. Having regards to the proposed separation distances it is considered that the development is acceptable in terms of its relationship with neighbouring properties and the standards of amenity achieved.

8.30 Furthermore, new landscaping is proposed to site boundaries which will assist to screen the development from residents. Conditions are also imposed regarding the construction and end phases of development to further protect amenity, particularly in terms of restricting access to the main access from Leamington Lane and servicing and delivery arrangements to the site.

8.31 Significant objection has been received in respect of the potential for noise and disturbance from holiday makers be it from BBQ's, music or hot tubs. The Council's Public Protection Team (PHP) have considered this issue. Whilst residents' concerns are noted, the Council's Public Protection Team advise that the proposal *does not* introduce noise sources which would require assessment.

8.32 PHP advise that;

1. Noise from vehicles and people were considered when looking at the proposals and the impact was deemed to be equivalent to a residential development of a similar number of units. For a residential development, we would not require a baseline noise assessment, or a noise impact assessment of vehicular traffic associated with the dwellings.

2. The use of any hot tubs and any sound equipment (if they are to be installed) would be impossible to set (planning) conditions for, as they would with any residential property. It is suggested that the Site Licence could impose occupancy agreement/contract between the site operator and users which could cover hot tub or noisy activities on site. Statutory nuisance provisions could be used by the Council, in the same way they would be used for dealing with noisy neighbours in residential properties, if necessary.

3. Background noise levels are usually used when settings noise limits for fixed plant which is not the case here. It is our opinion that the introduction of caravans with associated car parking, would not be introducing noise sources inconsistent with that which will already be experienced by the existing residential dwellings.

8.33 Having regards to the above points; the fact the development is located on an existing holiday park complex and achieves satisfactory separation distances it is considered that the proposal is acceptable in planning terms.

8.34 In the context of the above, the proposals are not considered to be in conflict with the development plan or Part 15 of the NPPF in this respect.

## Impact on Heritage Assets

8.35 The NPPF Paragraph 197 of the NPPF states that, in determining applications, Local Planning Authorities should take account of a number of criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 199-202 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

8.36 Alnwick District Core Strategy Policies S15 Protecting the built and historic environment and S16 General design principles are also relevant. Furthermore ENV 7 of the emerging Local Plan seeks to preserve the Historic environment and Heritage Assets.

8.37 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.38 Within the application site itself there are no designated heritage assets however, there are several listed buildings within the vicinity of the application site including Swarland Village Hall, listed at Grade II, is the closest to the application site and is located approximately 80m to the east. Swarland Hall Cottage, listed at Grade II, is located approximately 120m to the southwest of the application site. Additionally, there are a number of listed dwelling houses within Swarland village, all at Grade II.

8.39 The applicant has submitted a Heritage Statement to support the application. The Council's Building Conservation Officer has been consulted on the application and advises that no harm to the historic environment arises, as a result of the proposals, primarily because of the separation between the site and the assets and the fact the site does not form part of the visual setting of the assets or have historical connections to the assets.

8.40 The applicant has also submitted an Archaeology Impact Assessment. Considering the results of the submitted Archaeological Assessment and the nature of the development proposed, the risk of significant unrecorded archaeological features being affected by the proposed development is low. The County Archaeologist advises there are no objections to the proposed development on archaeological grounds and no archaeological work is recommended.

8.41 Having regard to the above it is considered the proposal is acceptable in heritage terms. The proposal complies with Chapter 16 of the NPPF and existing and emerging local development plan policies.

## Ecology and Biodiversity

8.42 The NPPF states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services -

including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

8.43 Policies S3 and S12 of the ACS are relevant in relation to assessing the potential effects on protected species, ecology and biodiversity.

8.44 An ecological survey and specialist survey work has been submitted in support of this application. Both the Council's Ecologist and Natural England have been consulted on the application.

8.45 It is noted that residents have expressed concerns regarding the ecological impacts of the development.

8.46 In terms of on-site ecological issues the key issues are the impact of the development on Great Crested newts, bats and nesting birds given the nature of the site and its location. The Council's Ecologist has advised that impact on these species can be mitigated by way of planning conditions.

8.47 In terms of off-site ecological issues the site falls within the 'zone of influence' for coastal sites designated at a national and international level as Sites of Special Scientific Interest and Special Protection Areas/ Special Areas of Conservation/ Ramsar sites. Since this application will result in a net increase in accommodation, impacts to the designated sites may result from increased recreational disturbance.

8.48 To mitigate the impact of the development on the Coastal Zone the applicant has agreed to a financial contribution towards the Council's Coastal Mitigation Service (£10,080). The contribution will be secured by way of S106 Legal Agreement. The County Ecologist has confirmed no objections to the development in terms of off-site impacts.

8.49 Natural England has no objections subject to migration being secured for impact on the coastal zone. A financial contribution has been secured as above.

8.50 Having regard to the above, the development is acceptable in terms of on-site and off-site ecological impacts. The application complies with the NPPF and local development plan policy.

### Flood Risk and Drainage

8.51 The NPPF Part 14 seeks to ensure flood risk is not increased elsewhere as a result of development.

8.52 The applicant has submitted a Flood Risk Assessment and Drainage Strategy to support the application. It is proposed that surface water will drain to an existing ditch to the eastern boundary of the site which will connect to a manhole with a proposed water restriction device. Water will eventually drain to an existing water course off site. The ditch (to the eastern boundary) will be widened, extended and bunded to accommodate the development. Easements are proposed in terms of the development and landscaping belts to reduce the chance of blockage to the ditch. In terms of foul drainage, foul water will drain to the NWL network.

8.53 It is noted that significant objection has been received from the Parish and local residents in respect of drainage. In support of their objection's residents have

submitted supporting photos and video footage to demonstrate drainage issues in the village.

8.54 Formal consultation has taken place with the Council as Lead Local Flood Authority (LLFA) and Northumbrian Water (NWL).

8.55 The LLFA have reviewed the local objections received including the photo and video footage. The LLFA have investigated residents' complaints and have visited the site. Following revisions to the development and much technical discussion, the LLFA advise the development is acceptable and does not object to the application, subject to conditions relating to the proposed ditch bund, maintenance and management and verification and validation of the drainage works. Specific planting species have been agreed between the LLFA and Council's ecologist to reduce the chance of blockage to the ditch from proposed landscaping belts. Planting is subject to a condition.

8.56 Furthermore, NWL has raised no objection to the application, and recommends a condition relating to the control of foul and surface water, as per the proposed drainage proposals.

8.57 It is noted that local residents have made direct contact with NWL expressing concerns regarding the proposed development when there has been a local sewerage incident. NWL have confirmed to the Council as Local Planning Authority they do not wish to make further comments on this application. They advise there has been an operational issue however, NWL have ensured that the existing rate of discharge will remain the same with the proposed development and as such this will not have a detrimental impact on the hydraulic capacity of the current drainage system downstream of their existing connection point.

8.58 On the basis of the consultation responses received, and subject to appropriate conditions, the proposal is considered to be acceptable in relation to drainage and flood risk and would be in accordance with the NPPF.

### Ground Conditions

8.59 The NPPF states that Local Planning Authorities should take account of ground conditions and land instability, including from natural hazards or, former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation if necessary.

8.60 The Council's Public Protection Team have been consulted. The key issues relate to contaminated land and ground gas.

8.61 The Council's Public Protection Team has assessed the application and raises no objections to the application in terms of ground conditions, subject to restrictive planning conditions to secure further survey work in respect of possible contamination and ground gas.

8.62 The application complies with Part 15 of the NPPF in respect of land contamination and pollution issues.

### Highway Safety

8.62 The NPPF seeks to ensure highway safety and states development should only be prevented or refused on highway grounds if there would be an unacceptable impact

on highway safety, or the residual cumulative impacts on the road network would be severe.

8.63 Vehicular access to the development is proposed from the existing point of access from Leamington Lane, via the existing holiday park and a new track through woodland to the north of the site. Each caravan has its own designated parking for two spaces. Refuse facilities and cycle parking are also proposed within the site.

8.64 In support of the application a Transport Assessment has been submitted. The Council as Highway Authority have been consulted on the application.

8.65 It is noted that significant objection has been received in response to the publicity of the application expressing concerns regarding highway matters. Residents are also concerned that the service track proposed to the south of the site will give rise to additional traffic.

8.66 The Highways Development Management (HDM) team have considered all aspects of the application and they advise no objections to the proposal, subject to standard highway conditions.

8.67 To make the development acceptable in planning terms, works to the adopted highway are required including localised widening of the main site entrance on Leamington Lane and pedestrian improvements at the junction with Coast View / C390 The Avenue. These works can be secured by planning condition in connections with a S278 Highways Legal Agreement.

8.68 Restrictive planning conditions are also recommended to be imposed to ensure that users of the site use the main access to the holiday park from Leamington Lane. Vehicular access by other means is prohibited. A condition regarding servicing and management of the site is also recommended in the interests of highway safety and amenity.

8.69 Forestry England (FE) own land outside the Red Line Boundary of the site and have expressed concerns regarding impact of the development on their land – land to the west of Springwood. A service track is shown on the proposed site layout connecting to land owned by FE. FE state the access is not suitable to accommodate the development and access rights have not been agreed. Rights of access are a private matter. However, a condition prohibiting vehicular access from the south is imposed in any event. Furthermore, the applicant has confirmed that no works are proposed outside the Red Line Boundary on the land owned by Forestry England.

8.70 It is noted that residents have expressed concerns regarding the construction phase of the development submitting that the site access will need to be widened to accommodate the width of the caravans and as such trees will need to be removed. It is acknowledged that the site is in existing use as a caravan park with delivery/ removal of caravans already taking place under the current arrangements. Submitted details indicate that the delivery will likely take place over a year, with no more than 5 delivered each week. There is no objection from either ecology or highways in this regard.

8.71 Given the proximity of the application site to the A1 Strategic Network, National Highways (NH) have been formally consulted. In response to NH objection, the applicant has submitted a GG104 Safet Risk Assessment. This has been assessed by NH and their objection has been withdrawn.

8.72 Having regard to the above the development is considered to be acceptable in highway terms in accordance with the NPPF.

### Obligations

8.73 The NPPF requires that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

8.74 Planning obligations should only be sought where they meet all of the following tests:

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

8.75 To make the development acceptable in planning terms a S106 Legal Agreement is required to secure the following obligations: -

- Financial contribution towards the Councils Coastal Mitigation Service (£10,040)
- Financial contribution to fund a Traffic Regulation Order (TRO) and relocation of the existing 30mph / National Speed Limit change, northwards on Leamington Lane (£7,000)

8.76 It is noted that the NHS CCG requested a contribution towards health care provision within the vicinity of the site. On the basis that this development is for holiday accommodation, a financial contribution towards health care would not be justified because it would not meet the three tests above. The CCG have since withdrawn their request.

### Other matters

8.77 Correspondence has been received from Howes Percival (solicitors) challenging aspects of the application on behalf of an objector/s. The correspondence submits that the application fails to meet statutory requirements and requirements of the Northumberland Validation Checklist. Officers have satisfied themselves that the application meets national statutory requirements. In terms of local validation requirements, this is a matter of planning judgement and Officers are satisfied sufficient information has been submitted to determine the application. Nevertheless, the points made are discussed further below.

8.78 The Red Line Boundary of the application is incorrect because it does not extend to the adopted highway as per published Planning Practice Guidance. The applicant has rectified this issue and the red line boundary of the application amended to show how the site will be accessed.

8.79 The Drainage Strategy is flawed because it relies on a drainage network that passes through their client's land or doesn't exist. The LLFA have assessed this correspondence and have confirmed to the LPA that the position of the LLFA remains unchanged and the Drainage Strategy does not need to be amended or updated considering this correspondence from Howes Percival.

8.80 An Air Quality Assessment (AQA) should have been submitted with the application. The Public Protection Team have confirmed they do not require an AQA to support the application. Having regards to Annual Average Daily Traffic (AADT), the proposals do not trigger the need for one in accordance with IAMQ guidance.

8.81 A Noise Survey and Landscape Impact Assessment should have been submitted. As paragraph 8.31 the Council's Public Protection Team have advised that a Noise Survey is not required in this case. It is a matter of professional judgement of planning officers that a Landscape Impact Assessment is not essential to the determination of this application.

8.82 The correspondence has challenged the planning application form declaration/s. The applicant has advised that the declaration/s are correct and all land within the Red Line Boundary of the application site is owned by the applicant.

8.83 The correspondence has challenged the lack of plan drawings and how it is not possible to determine the application without. No elevations have been submitted. Elevations are not available at this time because the applicant has not selected a supplier. Condition 33 recommends that further details of the caravans are submitted in due course. It is reasonable to progress a planning application of this type in this way. Fundamentally the site will change in character from golf use to 60no. Static Caravans. Impacts of the development have been discussed earlier in the report. It is considered that the application can be determined without full elevational details and condition 33 will control the final form of development.

8.84 The correspondence has questioned why an Archaeological Assessment had not been submitted. This was a valid point and rectified during the course of the application.

8.85 The correspondence states an Open Space Assessment should have been submitted. The site is not designated as protected open space within the existing or emerging local plan and it is therefore considered that an Assessment is not necessary in this case.

8.86 With regards to publicity of the application, officers are satisfied that the application has met the statutory requirements for the publicity of application, in accordance with legislation.

### Procedural matters

#### *Equality Duty*

8.87 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*

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



## *Human Rights Act Implications*

8.89 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.

8.90 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.

8.91 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.

## **9. Conclusion**

9.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

9.2 The principle of new tourism development is acceptable in this case. The site is located on an existing holiday park, adjacent to Swarland, a defined Urban Village Centre. The proposals also seek to enhance and support an existing business in economic terms.

9.3 The development by virtue of its location, design and layout is considered acceptable in terms of impact on landscape character. The proposals will be visible from short range views and while changing the outlook for neighbouring residents the proposals demonstrate acceptable standards of separation within and out with the development.

9.4 The proposals are acceptable in all other respects having regards to drainage, ground conditions and other technical matters including highway safety and ecology. The development is also acceptable in terms of impact on heritage assets.

9.5 All representations are noted including that from the Parish Council and local residents. It is considered that the Local Planning Authority have sufficient information to determine the application. All statutory requirements have been met.

9.6 The proposal is considered to result in a sustainable form of development and in this context the application is recommended for approval.

## **9. Recommendation**

9.1 That this application be GRANTED permission subject to the conditions below and S106 Legal Agreement to secure the following obligations: -

- Financial contribution towards the Councils Coastal Mitigation Service (£10,040)
- Financial contribution to fund a Traffic Regulation Order (TRO) and relocation of the existing 30mph / National Speed Limit change, northwards on Leamington Lane (£7,000)

### Conditions

#### **Mandatory**

01. The development hereby permitted must be commenced within three years from the date of this permission.

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission and to comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and reports reference:

### Plans

Drawing Site location plan amended blue line uploaded 29th January 2020

Drawing Proposed Site Layout Plan P105 Rev P05

Drawing "Planting Strategy Driving Range Site" number N808-ONE-ZZ-XX-DR-L-2002 Rev P06.

Drawing "Drainage Strategy Driving Range" number 1674-11 Rev P5;

Drawing "Surface Water Wider Network" number 1674-13 Rev P4;

Drawing "SuDS Details" number 1674-16 Rev P5;

### Documents

Transport Assessment Sept 2019

Ecological Appraisal Percy Wood dated August 2019

Great Crested Newt Survey, Percy Wood, August 2019

Bat Survey, Percy Wood, August 2019

Breeding Bird Survey, Percy Wood, August 2019

Flood Risk Assessment and Drainage Strategy - Coast Consulting Engineers;

Reference - 1674-10 Rev G; dated 9 June 2020

Design and Access Statement September 2019

Planning Statement September 2019

Heritage Statement August 2019

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

## Highways

03. The development shall not be brought into use until a Service Delivery and Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Once approved the plan shall be implemented at all times while the site is operational. The details to be submitted shall include:

- i. Details of delivery times and frequency;
- ii. Details of delivery vehicle types including submission of plans as necessary;
- iii. Details of any control measures to prevent access from Coast View;
- iv. Details of delivery requirements including any closures of site, parking areas or impact upon internal operations of site to facilitate these operations including plans as necessary;
  - i) business operational hours;
  - ii) days, times, duration and frequency of deliveries/collections;
  - iii) the vehicle types permitted to service the site, including and maximum dimensions of delivery/collection vehicles used;
  - iv) delivery requirements including any closures of site, parking areas or impact upon internal operations of site to facilitate these operations, including plans as necessary;
  - v. Submission of vehicle swept path drawings as necessary to illustrate manoeuvres to/from the site and from the adopted highway at Leamington Lane
  - vi) measures to be employed to ensure the compliance of delivery suppliers.

Reason: To ensure the successful servicing operations of the site, in the interest of highway safety and in accordance with the National Planning Policy Framework.

04. Means of vehicular access to the permitted development shall be from the existing access to the Percy Wood Golf and Country Park at the U3049 Leamington Lane only with no customer or service / delivery vehicle routes permitted from the U3122 Coast View at any time.

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

05. Development shall not commence until details of localised widening on Leamington Lane in the vicinity of the existing vehicular access, has been constructed in accordance with details, including surfacing drainage, signage and road markings together with associated works, which shall first have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

## Policy Framework.

06.The development shall not be brought into use until details of an improvement scheme to address pedestrian safety and connectivity between Coast View and the footways on the eastern side of the C90, The Avenue, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be brought into use until these works have been constructed in accordance with the approved plans.

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

07.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;
- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. 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.

08.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.

09.The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

10.A Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority prior to formation of the first hardstanding and implemented in accordance with the approved details prior to first occupation.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework.

11. No external refuse or refuse containers shall be stored outside of the approved refuse storage area except on the day of refuse collection.

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

### **Flood risk and drainage**

12. The effective crest height of the bund on the eastern side of the extended ditch shall be set at a minimum of 149.60m AOD

Reason: To ensure surface water and pluvial flows are contained within the development site and do not spread onto third party land. Hence not increasing the risk of flooding elsewhere.

13. The core of the bund on the eastern side of the extended ditch shall be of clay/compacted material.

Reason: To ensure structural stability, to prevent the bund from breaching.

14. Prior to first occupation an assessment into the structural integrity of the proposed bund on the eastern side of the extended ditch shall be undertaken. This assessment shall ensure the structural integrity of the bund and any adjacent structures or infrastructure under anticipated loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance. The assessment should be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the bund is structurally secure, limiting the possibility of any breaching.

15. Prior to first occupation details of the extended ditch and new manhole chamber with the flow restriction device shall be submitted to and approved by the local planning authority. These details shall include information on the outfall, manhole, grille, mesh, screen arrangement and a supporting health & safety assessment. Thereafter all agreed details shall be constructed in full.

Reason: To ensure the effective attenuation of surface and pluvial water on site, not increasing the risk of flooding elsewhere.

16. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime.

17. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority. Thereafter the construction shall be carried out in accordance with the details agreed.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

18. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- \* As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);
- \* Construction details (component drawings, materials, vegetation);
- \* Health and Safety file;
- \* Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards.

19. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled Flood Risk Assessment and Drainage Statement revision G dated 9<sup>th</sup> June 2020. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 2605 and ensure that surface water discharges to the existing watercourse.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

## **Ecology and Biodiversity**

20. The actions to carry out this development would be unlawful if not carried out under a Natural England European Protected Species Mitigation Licence. As such, the following condition would be required, as specified in BS 42020:2013 Biodiversity Code of Practice for Planning and Development. No development shall commence until the LPA has been provided either

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specific development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity /development will require a licence.

Reason: to maintain the favourable conservation status of a European Protected Species and to ensure that the development can legally commence.

21. No development shall take place unless in accordance with the mitigation detailed in the report Great Crested Newt Survey, Percy Wood, August 2019, E3 Ecology. This will include;

- A suitably qualified ecological clerk of works will be appointed.
- Site design should incorporate areas of coarse grassland strips to be over-seeded with a species-rich grassland mix.
- Plantation woodland along the western boundary of Area 2 will be retained as part of the development.
- New amphibian pools/features will be created.
- Habitat enhancement works will be undertaken prior to the start of development.
- No works on site with the potential to harm great crested newts will commence until a Natural England licence is in place.
- The installation of amphibian-proof fencing and the subsequent trapping of the site

will not take place during the winter period (November to February inclusive) in order to minimise the risk of causing harm to great crested newts.

- All works on site with the potential to affect newts will be completed only after contractors have completed a toolbox talk incorporating detailed guidance on legislation, best practice working methods and what to do should great crested newts be found.
- The working areas will be fenced around the peripheries, with access available where required into the development areas. The location of the fence will be at the outer boundary of the development plots on site to enable all works, including the construction of boundary fencing, within this area. The amphibian fencing should be situated such that its removal will not be required to enable any element of development.
- Drift fencing will be used as required to aid capture.
- Pitfall traps will be located at 5m intervals along the internal area of the fence.
- The trapping will take place for at least 30 days and in line with Natural England guidelines based on the nature of the development and the size of the local great crested newt population.
- Following the completion of the trapping period, the site will be hand searched by the project ecologist to confirm the absence of the species before works commence. Any newts caught on site will be placed into a designated receptor site.
- additional coarse grassland strips will be created within the development area and within the wider Percy Woods site. Amphibian hibernacula/refugia will also be installed within the Percy Woods site, located within woodland blocks and within grassland swards.
- New pools suitable for GCN will be created at pond 9, which is currently largely dry.
- New areas of coarse grassland will be subject to a management agreement.
- Details of the management and maintenance of habitats created will be confirmed as part of the Natural England licence.
- Monitoring of the ponds will be required with full details confirmed as part of the Natural England licence.

Reason: To maintain the favourable conservation status of protected species.

22. No development shall take place unless in accordance with the mitigation detailed in the report Ecological Appraisal Percy Wood dated August 2019. This will include;

- Areas of plantation woodland in Area 1 should be retained where possible with the minimum number of trees removed in order to facilitate the development of the storage shed.
- The plantation woodland along the western boundary of Area 2 should be retained.
- The storage shed in Area 2 which includes the brown long-eared roost should be retained as part of the development. If site design means that the storage shed in Area 2 cannot be retained, works to this structure will not commence until a Natural England development licence has been obtained.
- Works to all other buildings (excluding the Storage shed in Area 2) will be undertaken in accordance with a precautionary working method statement.
- External lighting that may reduce bat use of the storage building will be avoided. High intensity security lights will be avoided as far as practical, and any lighting in areas identified as being important (woodland edges) for bats will be low level (2m) and low lumen. Light spillage to areas used by foraging or commuting bats should be less than 2 lux.
- No lighting will be installed along the flyways between the roosts and adjacent

trees, woodland and foraging areas.

- Where security lights are required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects.

- New areas of habitat creation of benefit for biodiversity should be included within the detailed design.

- Vegetation clearance/tree felling will be undertaken outside of the bird nesting season

(March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests.

- A checking survey will be undertaken within 3 months prior to works commencing to ensure no badger setts have been created within 30m of proposed working areas.

- Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

- The roots and crowns of retained trees will be protected throughout the development through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012.

- Works will follow a precautionary method statement to avoid the spread of rhododendron.

- A total of 40 bird boxes should be installed on retained trees both within the development

areas and on trees within the wider Percy Woods site.

- Nest boxes specifically designed for house sparrow and starling installed onto Accommodation or woodland nearby to provide nesting opportunities.

- A total of 20 bat boxes will be installed on to trees within the site owner's land holding.

- New ponds, enhancement of pond 9, and terrestrial habitat enhancement will be undertaken to conserve amphibians and particularly great crested newts.

- The landscape planting will be designed to enhance structural diversity, and will include

plants bearing flowers, nectar and fruits which are attractive to invertebrates, thereby helping to maintain the food resource for bats and wildlife generally.

- Hedgerow management and habitat creation will be designed to generate a diversity of ecotones, sheltered areas, fish-free wetlands and linear connections with tall hedgerows comprising regular field trees between roost sites and areas of good foraging habitat.

- Tree management will be carried out to promote deadwood habitats, retain standing over-mature trees, and promote biodiversity. Interlinking hedgerows will be enhanced through gapping up and tree establishment, particularly double hedgerows such as those associated with green lanes and minor roads.

Reason: To maintain the favourable conservation status of protected species and maintain and enhance the biodiversity value of the site.

23. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. This shall include the mitigation and enhancement as details in the ecological reports. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.



f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

g) Details of the body or organization responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: to conserve and enhance the natural environment in accordance with the NPPF.

24. All works which include site clearance, works in woodland or rough grassland or widening of any ditch or watercourse will be supervised by a suitably qualified Ecological Clerk of Works (ECOW).

Reason: to maintain the favourable conservation status of protected species.

25. Any new evergreen planting in the watercourse corridor will only use native species yew, holly and Scots pine.

Reason: to maintain the biodiversity value of the site and prevent the spread of non-native species.

### **Ground conditions and pollution**

26. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion

b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this

scheme without express written agreement of the Local Planning Authority.

c) Two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). 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 to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

27. If during re-development contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement 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.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

28. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS<sub>2</sub> standard specified in BS 8485:2015+A1:2019 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. 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 potentially be prejudicial to the amenity of the occupants of the respective properties.

29. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 27, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of mine gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

30. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800.

Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

31. Deliveries to and collections during the construction phase of the development

shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

### **Other**

32. The development shall be implemented and occupied in accordance with the following:

- (i) The caravans are occupied for holiday purposes only;
- (ii) The caravans shall not be occupied as a person's sole, or main place of residence;
- (iii) The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority. The register shall be collected by the caravan site licence holder or his/her nominated person.

Reason: To encourage tourism by ensuring that the caravans are used for holiday accommodation only and to prevent their use as full-time permanent residential use, in a location where such development would be inappropriate, in accordance with Policies RE16 and T4 of the Alnwick District Wide Local Plan, Policies S3, S13 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

33. No caravan shall be placed on the land unless it is of a specification, colour and materials as identified in a scheme of details to be submitted to and approved in writing by the Local Planning Authority. The caravans shall thereafter continue to be sited in accordance with the approved scheme of details.

Reason: In the interests of amenity, in accordance with Policies RE16 and T4 of the Alnwick District Wide Local Plan, Policies S13 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

34. No development shall commence until details of external lighting have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

- The specific location of all external lighting units;
- Design of all lighting units;
- Details of beam orientation and lux levels; and
- Any proposed measures such as motion sensors and timers that will be used on lighting units;
- Timescales for implementation of the removal and replacement of lighting to the existing caravan park

The approved lighting scheme shall be installed in accordance with the approved details and timescales, and shall be maintained as such thereafter, unless removed entirely.

Reason: In the interests of amenity, in accordance with Policies RE16 and T4 of the Alnwick District Wide Local Plan, Policies S13 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

35. No more than 60 caravans shall be on the application site the subject of this application at any one time.

Reason: To ensure that the use remains compatible with the surrounding environment and to ensure that the effects of any additional development upon the environment can be fully considered, in accordance with Policies RE16 and T4 of the Alnwick District Wide Local Plan, Policies S13 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

36. For the avoidance of doubt any "caravan" located on the site is defined as any structure that complies with the definition of a caravan as set out in the Caravan Sites and Control of Development Act 1960, as amended by the Caravan Sites Act 1968 and Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravans) (Amendment) (England) Order 2006, or any order revoking and re-enacting those orders with or without modification.

Reason: In the interests of the character and appearance of the area.

**Background Papers: 19/01687/FUL**