

DELEGATED DECISION REPORT

Application Reference Number	14NP0049
Description / Site Address	Construction of new private water supply infrastructure at Midgy Ha, Sharpton, Morpeth, Northumberland, NE65 7AS
Applicant	Sir Walter Riddell
Agent	Mr D Whitfield
Expiry date of publicity / consultations	02/07/2014
Last date for decision	24/07/2014

Proposal

This application seeks the installation the installation of a new private water supply to the Old Dairy, Midgy Ha and Midgy Ha Cottage, Hepple Woodside. The pipeline is to run from a spring to the east of the house, with the proposed pipeline running approximately 190 metres. Midgy Ha and Midgy Ha Cottage, along with the Old Dairy are isolated properties located to the eastern side of the Grasslees valley. The properties are currently served by a spring which has limited capacity. The intention of this proposal is to utilise the private water source originally used for Woodside Hall (the Hall being demolished in the 1970s).

The pipe is to be laid at a depth of 0.9 metres and will be installed by traditional mechanical trench excavation at 300mm width. Where ground conditions allow (especially when crossing the narrow watercourse) a no-dig tunnel method would be used.

A 2000 litre reservoir tank is proposed at the head of the spring to allow gravity fed sourcing to the dwellings.



Location – pipe to follow line of the road and vere to the right just after the fence.

Planning Policy

National Planning Policy Framework

Chapter 7: Requiring Good Design.

Chapter 11: Conserving and enhancing the Natural Environment.

Northumberland National Park Core Strategy and Development Policies Document

Policy 1: Delivering Sustainable Development

Policy 3: General Development Principles

Policy 17: Biodiversity

Policy 28: Utilities and Infrastructure

Relevant Planning History

N/A

Consultations/Representation

Parish Council: No objections

NNPA Access and Recreation Officer : No objections

NNPA Ecologist: No objections

NNPA Landscape and Forestry Officer: No objections

Environment Agency: No objections

Natural England: No objections (x2 conditions requested to be attached to any approval)

Assessment.

The main issues for consideration are:

Principle of Development

General Development Principles

Impact on Landscape

Ecology

Utilities and Infrastructure

Principle of Development

The NPPF in Chapter 11 seeks to ensure the planning system should contribute to and enhance the natural and local environment by recognizing the wider benefits of ecosystem services and minimizing impacts on biodiversity and providing net gains in biodiversity where possible, and ensuring that there is prevention from new development from contributing to unacceptable impact on the natural environment.

In addition to the NPPF, the emphasis of Local Development Framework Policy 1 is that development is sustainable and reduces the causes of climate impact change, particularly by maximizing renewable energy generation. As the proposal is for small scale water supply provision and does not raise issues of conflict with other policies in the LDF, then the development is considered to accord with Policy 1 of the LDF.

The proposal meets the criteria set out in the policies in the LDF and the relevant Chapter in the NPPF, the proposal is considered to be acceptable in principle. The proposal would also accord with the general development principles set out in Policy 1 of the LDF.

General Development Principles

Policy 3 of the Local Development Framework states that proposals for development will be permitted where the special qualities of the National Park will be conserved or enhanced and does not adversely affect the rights of way network and appropriate infrastructure is capable of being provided without compromising the character of the landscape.

The proposed works are to be underground and minimal disruption is envisaged during and after the installation of the engineering works. The proposal does not create any issues of detriment to the special qualities of the National Park and is therefore considered to accord with Policy 3 of the Local Development Framework.

Impact on Landscape

The location of the pipeline is underground, with the associated reservoir located at the head of the spring- also underground. The application has been assessed by the NNPA's Landscape and Forestry officer and no objections have been raised. The application proposal would not involve the removal of any trees to facilitate the development no detrimental impact on the landscape is envisaged. The proposal is therefore considered to accord with Policy 20 of the Local Development Framework.

Ecology

Policy 17 of the Local Development Framework seeks to ensure that proposals do not have an adverse effect on the Ecology of the National Park and that protected species are not affected by development. In the case of the installation of the pipeline and associated infrastructure the pipeline runs partly through the Simonside Hills SAC. Development proposals within such ecologically sensitive areas such as those with this designation require considered assessment to ensure appropriateness. Due to the amount and levels of works proposed and the type of construction cited in the application it is not considered that the proposal will negatively impact on the local fauna and flora. The Environment Agency have raised no objection to the proposal and Natural England have also raised no objection provided the proposals are carried out in accordance with the plans provided, avoiding an area of rich flush as discussed in pre-application discussions and all material that is dug up during the development is replaced as quickly as possible to ensure no material is lost from the site. Provided the above conditions are carried out in the implementation of the development proposed, the development would be considered to accord with Policy 17 of the Local Development Framework.

Utilities and Infrastructure

Policy 28 of the Local Development Framework seeks to ensure that development which involves the installation of infrastructure provides a minimal impact on the special qualities of the National Park as possible. This policy states that where new apparatus are required it must be sensitively designed to minimise impact. The proposed pipeline and reservoir is designed to be underground and would not be

visible once completed. It is therefore considered that impact of the development has been reduced to a minimum, and consequently the proposal is considered to accord with Policy 28 of the Local Development Framework.

RECOMMENDATION

Taking all of the above into account, including development plan policies and other material planning considerations including the NPPF, it is recommended that the local planning authority grant permission for application reference 14NP0049 subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 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 (as amended) of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- 'Application Forms' received on the 12th May 2014
- 'Layout of Proposed Water Supply Infrastructure Pipework' Drawing No: NO1 received 12th May 2014.
- 'Specification of Potable Water Tank' Received 29th May 2014.

Reason: For the avoidance of doubt, to enable Northumberland National Park Authority to adequately control the development and to conform with Policies 1, 3, 20 and 28 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

3. For the avoidance of doubt, the development shall avoid the area of species rich flush near the bridge at the site.

Reason: In the interests of the protection of Ecology in this part of the National Park and in order to accord with Policy 17 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

4. All material that is displaced through the carrying out of this development, shall be replaced once the pipe is installed as soon as is practicable.

Reason: To ensure no material is lost from the site and in the interests of the protection of Ecology in this part of the National Park and in order to accord with Policy 17 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

Informative Notes

1. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

(a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

(b) You or your agent or any other person responsible for implementing this permission should inform Northumberland National Park's planning authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

(b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

3. Your attention is drawn to the recommendation that in carrying out the development hereby approved, the developer should follow the risk management framework provided in CLR11, Environment Agency Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

4. In carrying out the development the developer should refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. Refer to www.environment-agency.gov.uk

	Signature	Date
Planning Officer		

I hereby certify that the proposal may be determined by the National Park Officer or the Head of Planning or relevant Director under the current Delegation Scheme, and

can confirm that I **grant** planning permission under delegated powers, subject to conditions set out in the recommendation above.

	Signature	Date
Interim Manager: Development Management		
Chief Executive		