

DELEGATED DECISION REPORT

Application Reference Number	14NP0102
Description / Site Address	Approval of details of siting and means of construction in respect of proposed brush mat roads approx 1150 metres in length to facilitate timber extraction at Hesleyside Hall, Bellingham, Hexham, Northumberland, NE48 2LA
Consultation Expiry	8 January 2015
Last date for decision	4 February 2015

Details of Proposal

The proposal is to create three lengths of brush mat tracks, totaling approximately 1150 metres in length, to the west and south of Hesleyside Hall, near Bellingham. The two new tracks furthest south would be brush mats only, placed on the existing ground, to be removed after harvesting of timber is complete, but this would still form an engineering operation. The track further north, to the west of Hesleyside Hall would be made from brush mats placed on overturned stumps.

Log bridges would be installed for any water crossings that are necessary.

Existing forestry tracks would be repaired and upgraded as part of the overall proposal; however this benefits from permitted development rights under Part 7 of the General Permitted Development Order 1995 (as amended) without requiring prior approval and is not being assessed here.

The local planning authority invoked the prior approval process due to a lack of information provided about the means of construction of part of the proposal within a SSSI, a designated ecological site of national importance. It is the two shorter brush mat tracks located further to the south

Planning Policy

- *NNPA Core Strategy and Development Policies Document (Core Strategy)*

Policies 1, 3, 17, 18, 19, 20

- *NNPA Landscape SPD*
- *National Planning Policy Framework*

Summary of Consultations/Representations

NNPA Access Officer: No objections.

NNPA Historic Environment Officer: In response to the initial phase of this proposal (14NP0097), **no objections** were raised and no further comments have been offered at this stage.

It is considered that there is a low likelihood of minor-adverse impacts to the setting of the hall and historic parkland during the construction of the proposed roads and during timber

extraction. However, these will be temporary and will not cause significant harm in the long term.

NNPA Landscape & Forestry Officer: No objections.

NNPA Ecologist: No objections. If the methodology shown in the 'Notice of Operations within a SSSI' as provided is followed the likelihood of damage is very low.

Natural England: No objections. No conditions are requested

Forestry Commission: Does not consider potential track construction on this site to have an impact on ancient woodland providing that the conditions detailed by Natural England in the consent to work within the SSSI are followed and the work is completed to the UK Forestry Standards.

No comments have been received in response to public notifications and no response has been received from NCC Conservation Advisor, Woodland Trust, Garden History Society, Environment Agency and Bellingham Parish Council.

Assessment

The key material planning considerations are;

- The principle of the development;
- Potential ecological impacts, particularly within the SSSI;
- Other general development principles and effects of the National Park's special qualities;

Principle of Development

Part 7 of the General Permitted Development Order 1995 (as amended) allows for the construction of new tracks (subject to a decision on whether prior approval is required from the LPA). It is accepted that the tracks are reasonably necessary for forestry purposes and therefore the principle of the development is set out as acceptable in legislation.

Ecological Impacts

Natural England's consultation response confirmed that the proposal as submitted would not damage or destroy the features for which the site has been notified as a SSSI and that the SSSI should not be a constraint in determining the application.

NNPA's Ecologist has also assessed this proposal's effect on the SSSI, upon local ecological interests and affected habitats and species. After reviewing the additional information submitted at this stage regarding the methodology of the works, in particular those affecting the SSSI. The response highlights that the aim of some of the works is to assist in the management of the woodlands, including removal of conifers designed to improve and retain the interest in the SSSI. This is seen as a positive development for the SSSI and is welcomed. The initial concerns raised in response to 14NP0097 related to the need to prevent damage to the broadleaved trees in the SSSI and siltation of the burn associated with the track formation. If the methodology shown in the 'Notice of Operations within a SSSI' as provided is followed, it is considered that the likelihood of damage is very low. No objection is therefore raised.

The development accords with Core Strategy Policy 17, the NPPF and relevant legislation affecting protecting species and habitats.

General Development Principles & NP Special Qualities

The siting, location and means of construction of this track would not have any unacceptable harmful effect on amenity, public access, or cultural heritage.

The Impact on Ancient Woodland has also been considered. The Forestry Commission has raised no concerns relating to this, provided that the development is carried out in line with the documentation submitted. NNPA's Forestry officer's comments suggest that the proposal would allow the woodland to be managed better.

The NNPA Landscape Officer has confirmed his view that the proposal would have a positive effect on the landscape character of the National Park, as the track would enable proactive management of the woodland.

The development therefore also accords with Core Strategy Policies 1, 3, 18, 19 and 20 and the NPPF.

Conclusion

Following the submission of additional information through this prior approval process, the LPA is satisfied that the development proposal is acceptable. The siting, location and means of construction of the tracks are acceptable and do not give rise to unacceptable impacts on the SSSI or any other unacceptable harm. The proposal accords with the Northumberland National Park Local Development Framework Core Strategy and the NPPF.

Recommendation

That the Local Planning Authority grants prior approval, subject to the following conditions:

1. The development hereby approved shall be commenced before the expiration of five years from the date of this permission.

Reason: To meet with the requirements of Part 7 of the General Permitted Development Order 1995 (as amended).

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

- Application Form received on 5th November 2014
- Location Plan indicating track repairs and brash mats, received on 5th November 2014
- Location plan of proposed works received on 13th November 2014
- Typical extraction route sections received on 13th November 2014
- Typical Activity Descriptions received on 13th November 2014
- Specification/Bill of Quantities received on 13th November 2014
- Forestry Commission Application: Supplementary Notice of Operations with a Site of Special Scientific Interest (SSSI) received on 10th December 2014

Reason: For the avoidance of doubt, to enable the LPA to adequately control the development and to conform with Policies 1, 3, 17, 18, 19 and 20 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

Informative Notes

1. This 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 the local 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. Any changes to the proposed works as defined in the document "Supplementary Notice of Operations within a Site of Special Scientific Interest" or upgrade to track surfaces within the SSSI which may be classed as permitted development for planning purposes would require consent from Natural England.

	Signature	Date
Planning Officer		
Head of Development Management OR National Park Officer		