

## DELEGATED DECISION REPORT

<b>Application Reference Number</b>	15NP0008
<b>Description / Site Address</b>	Erection of one "hut on wheels" to provide tourist accommodation at Hesleyside Hall, Bellingham
<b>Expiry date of publicity / consultations</b>	13 March 2015
<b>Last date for decision</b>	31 March 2015

### 1. Details of Proposal

This application seeks planning permission for the erection of one 'shepherd's hut' to provide tourist accommodation within the grounds of Hesleyside Hall, Bellingham. Hesleyside Hall is a Grade II\* Listed Building and Balustrade and the grounds of the hall are designated as a Grade II registered park and garden.

The proposed location chosen for the Shepherd's Hut is south of an avenue of trees, within a field surrounded by extensive tree cover to all sides. The hut would lie approximately 280 metres south east from the Hall itself. The site lies within a formal parkland garden that was originally set out the early 18th Century and is characterised by avenues of trees radiating out from the Hall and informal clumps of trees set between these.

The proposed hut will be 5.3 metres in height, 3.2 metres to the eaves, with a footprint of 6 metres by 3 metres.



*View of the proposed site (looking towards Hesleyside Hall)*

No samples of materials have been provided, however they are to be constructed using reclaimed and sustainable wood.

The photo within the Design and Access Statement and samples submitted with 13NP0058 for a hut of almost identical design gives a firm impression of what the materials used in the construction of the proposed hut would look like.



*Views looking towards the proposed site from Hesleyside Hall – proposed site in the distance to the right hand side of each photo, behind the mature trees*

## **2. Planning Policy**

### ***Northumberland National Park Local Development Framework Core Strategy and Development Policies (CSDP)***

- Policy 1 Delivering Sustainable Development
- Policy 3 General Development Principles
- Policy 5 General Location of New Development
- Policy 12 Transport and Accessibility
- Policy 14 A Sustainable Local Economy
- Policy 15 Sustainable Tourism & Recreation Development
- Policy 17 Biodiversity and Geodiversity
- Policy 18 Cultural Heritage
- Policy 19 Tranquillity
- Policy 20 Landscape Quality and Character
- Policy 25 Renewable Energy and Energy Efficiency

### ***Supplementary Planning Guidance***

- Building Design Guide Supplementary Planning Document
- Landscape Supplementary Planning Document (Border Moors and Forests National Character Area)

## **3. Relevant Planning History**

**14NP0064** - Erection of one "Shepherd's Hut" ("Roulotte") to provide tourist accommodation (Approved with conditions, August 2014)

**13NP0058** - Approval of details reserved by condition 3 of 13NP0026 (Approved, August 2013)

**13NP0026** - Erection of 2 No. 'Shepherd's Huts' to provide tourist accommodation (Approved with conditions, June 2013)

## **4. Consultations/Representations**

**English Heritage: No objection**

The application(s) should be determined in accordance with national and local policy guidance, and on the basis of the authority's specialist conservation advice.

**NCC Building Conservation Officer: No objection.**

There will be no impact of the submitted proposal on the setting of the Grade II\* Listed building or the Historic Park and Garden in this instance, mainly due to the mature trees. It is considered that the significance of the heritage assets will be sustained.

While this proposal is considered to be acceptable, pre-application advice is suggested for future proposals, to better understand the cumulative impact of the proposals arising from additional infrastructure requirements.

**NNPA Access & Recreation Officer: No objection****NNPA Landscape Officer: No objection.**

There will be no significant effect upon the landscape character of views into or out from the National Park. Recommendations have been suggested relating to:

- Lighting details
- Relocating the huts during vacant periods
- Restrict the provision or use of furniture and additional external infrastructure.
- Include a condition that wood-fuel should not be gathered by occupants of the shepherd huts as this may lead to damage to the historic parkland trees.

Should additional units be required, it is suggested that the cumulative effect of these units would need further consideration. The approach to date has been somewhat sporadic and a more holistic long-term vision for this tourism venture would be welcomed.

**NNPA Ecologist: No objection.**

The positioning of the proposed hut will not have a direct impact on the Hesleyside SSSI. It is suggested that collection of wood could have an indirect impact on this site and a condition has been suggested.

The location of the hut at least 10m from any trees and the construction on wheels without foundations or excavation means it is unlikely to have any detrimental effect on the adjacent (undesigned) area of mixed woodland.

**NCC Historic Environment Officer: No objections**

The proposal is unlikely to harm significant designated or undesignated heritage assets.

**NCC Highways: No objection.****NCC Tourism: Supports the development in principle.**

The proposed development will contribute to achieving tourism and economic objectives and will also add to wider benefits for the county, i.e. raising the profile of the county as a great place to work, live, visit and invest.

No comments were received from NCC Development Management, Garden History Society, Bellingham Parish Council, and NNPA Visitor Development Officer who were also consulted on the application.

A site notice was placed at the site and neighbouring properties notified. No comments were received.

## **5. Assessment**

The key material planning considerations are;

- Principle and location of the development;
- Sustainable tourism and recreational development;
- Design and materials;
- Highways;
- Ecological impacts;
- Impact on cultural heritage and landscape;

### *Principle of Development*

The National Planning Policy Framework is clear that a presumption in favour of sustainable development is at the heart of decision-taking. The NPPF also seeks to support a prosperous rural economy, stating that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Specifically this policy framework seeks to support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Policy 1 of the NNPA Core Strategy seeks to ensure that development proposals will conserve and enhance the special qualities of the National Park, make efficient use of land, materials and infrastructure and demonstrate high quality design and sustainable construction. It is considered that the proposed development meets the criteria set out in Policy 1.

Policy 5 of the LDF seeks to direct local needs development towards the local centres of the National Park and limit development in the open countryside.

While the proposed development is not within a local centre, it is not considered to be an open countryside location either, as it is located within the formally defined and managed grounds of an existing property.

This tourism development provides the opportunity to stay in sustainable accommodation in close contact with the surrounding landscape without impacting negatively upon it. Enjoyment of the tranquillity and other special qualities would be reduced if the development was sited within an identified settlement. The specific characteristics of this proposal mean that it could not take place in an identified local centre, smaller village or through the reuse of an existing building and it will conserve and not negatively impact upon the special qualities of the National Park, while providing opportunities for the public to understand and enjoy the special qualities.

### *Design/Amenity*

Policy 3 sets out general development principles and seeks to ensure that materials are appropriate to the site and setting and that development is sympathetic to existing buildings in terms of scale, height, massing, siting, form, materials and colour and that the proposals do not cause any issues of detrimental impact to neighbouring properties.

The proposed hut has a similar eaves height to others in the adjacent field, but would be higher due to the difference in the roof style and materials, using cedar shingles on a steep pitched roof. The chosen site in a well screened location means that the development will not be prominent, or even visible from any wider viewpoints, or within the context of the other huts, or the main hall itself. Careful consideration has been given to the siting of the development, meaning that it would minimise the impact on the special qualities of the National Park. The use of timber and cedar shingles is considered to be appropriate in the chosen location.

The design and siting and location of the proposal are considered to accord with the criteria set out in Policy 3 of the Local Development Framework.

### *Highways/Access*

Northumberland County Council Highways were consulted on the proposal as the proposal may involve a very small increase in visitors to the site using the highway network and parking at the site. The highway authority have stated that it should be noted that the amount of trips generated by the proposed development can be accommodated on the highway network in the area and there are no alterations to the existing access, manoeuvring and parking arrangements. When the development is completed, it will not have an adverse impact on the safety of all users of the highway in the area.

NNPA's Public Rights of Way Officer has confirmed that there will not be any impact on any rights of way, ensuring that there is no conflict with Policy 3 or 12 in respect of this aspect.

While the development is proposed as permanent, it is on wheels and could be easily removed once it is no longer required.

It is considered that, on balance, the location of the development is acceptable and accords with the presumption in favour of sustainable development set out in the NPPF.

### *A Sustainable Local Economy/Sustainable Tourism*

One statutory purpose of the National Park Authority is to promote opportunities for the understanding and enjoyment of the special qualities of the National Park and this development will allow additional opportunities for this.

Policy 14 of the Local Development Framework states that in order to create and retain a sustainable local economy the National Park Authority will support proposals which enable the expansion of new or existing businesses which relate to the special qualities of the National Park, but do not negatively impact on them. Policy 15 concerns Sustainable Tourism and Recreation Development and states that proposals for sustainable tourism and proposals will be supported provided developments maximise opportunities for visitors to increase their understanding and enjoyment of the special qualities of the National Park whilst not adversely impacting on them and integrate with existing visitor facilities.

Support for the principle of tourism development in this location is provided by NCC Tourism, as it would contribute to the tourism industry locally, a crucial part of Northumberland's economy as a whole, whilst encouraging and creating opportunities for visitors. The proposal would accord with Core Strategy Policies 14 and 15.

### *Biodiversity/Trees*

Policy 17 actively encourages development which does not create an adverse effect on biodiversity. There have been no objections from the NNPA Ecologist from a biodiversity perspective and the nature of the proposal means that local wildlife interests would not be affected.

The site of the hut is approximately 200m away from the Hesleyside Park SSSI designated for broadleaved woodland and associated flora including lichens. The positioning of the proposed hut will not directly affect this site. The location of the hut at least 10m from any trees and the construction on wheels without foundations or excavation means it is unlikely to have any detrimental effect on the adjacent (undesigned) area of mixed woodland.

The development will be kept a clear distance away from trees and will not affect trees, including root protection zones. The Landscape and Forestry Officer and Ecologist have requested a condition seeking to prevent gathering of wood by guests, in relation to the historic parkland and SSSI areas. This would not be a reasonable and necessary requirement for the development to accord with the development plan, would not be enforceable, is not relevant to planning and does not meet the tests required for planning conditions. Gathering of wood would not be directly related to the development. It is understood that any environmental issues affecting the SSSI could be dealt with under the provisions of the Wildlife and Countryside Act 1981 and therefore controls should not be unnecessarily duplicated where they exist under other more relevant legislation.

It is understood that provision of sustainably sourced wood for guests will be made by the site owners in any event, although this could not be a condition of the approval for the same reasons.

### *Impact on Cultural Heritage*

Policy 18 of the Local Development Framework seeks to ensure protection is afforded to the National Park's cultural assets and gives protection to Listed Buildings and Historic Parks and Gardens.

The proposed additional shepherds hut has been discretely located away from the existing three huts, and is located in a separate field, well screened by trees, which prevent any views of it within the context of Hesleyside Hall itself.

The location and siting of the proposal are appropriate, as it does not impact on important views of the Grade II\* Listed Hall and does not affect its setting, or the Historic Park and Garden in this instance, mainly due to the presence of these mature trees. It is considered that the significance of the heritage assets will be sustained.

The scheme will have no adverse archaeological impacts, as no ground works are involved.

Given the location, the proposal has a negligible effect of the setting of the Grade II\* Listed Hall and the planned landscape. It is considered to accord with heritage planning policy, including Core Strategy Policy 18 and NPPF.

### *Tranquillity*

Policy 19 states that development proposals which conserve or enhance the tranquillity of the National Park will be supported.

The Landscape Officer has stated that he understands from the Design and Access Statement that there will be a Dark Skies compliant external lighting unit needed as a result of this application. There does not appear to be any reference to this in the Design and Access Statement or on the application plans.

It is understood that there would be some low level LED lighting within the building itself, but nothing externally. A condition is proposed to be included requiring the approval of any external lighting required within the site, to allow the LPA to assess any impacts upon tranquillity.

There will be no external lighting and the development will not adversely affect tranquillity, according with Policy 19 and NPPF. The development will also provide additional opportunities for quiet enjoyment of the landscape.

### *Impact on Landscape*

Policy 20 of the Local Development Framework seeks to ensure that developments will conserve and enhance the National Park whilst being responsive to landscape change.

No objections have been received from the NNPA Landscape Officer. The site where the huts are to be located cannot be not easily or clearly viewed from classified roads in the vicinity of the site, or from the banks of the River North Tyne, conserving the quality of the landscape when viewed from these prominent locations. The chosen site is well screened by mature trees to all sides. It is considered that the proposed structure accords with Policy 20 of the Northumberland National Park Local Development Framework.

The landscape officer has requested that the huts are relocated during vacant periods. As the siting is considered to be acceptable, having minimal visual and landscape impacts, this would be unreasonable. A condition will however be included to ensure that the hut is removed if it becomes permanently disused, to avoid the potential for a deteriorating and disused structure on the site.

Restriction of furniture and additional infrastructure has also been requested. Any new development requiring planning permission would need an additional application. Any additional paraphernalia that does not require an application would not be development, or would be *de minimis* and would therefore not be relevant to planning. Such a condition would not meet the tests in NPPG relating to planning conditions.

### *Sustainability, Renewable Energy and Energy Efficiency*

Policy 25 requires both high energy efficiency and energy generation utilising at least 10% of the energy from renewable energy sources to be required as part of the application. These aims are to be achieved through the use of low-energy LED lighting in the huts and heating coming entirely from wood-burning stoves, both referred to in the Design and Access Statement. The intention to use reclaimed and sustainable wood sources from the local area

will also bring sustainability benefits and minimise the amount of energy required in construction. The proposal accords with Policies 1 and 25 of the Core Strategy.

## **Conclusion**

The proposed development, by virtue of the scale, location, design and negligible impact on nearby heritage assets and the wider landscape, ensures that the natural qualities of the National Park are conserved, whilst providing additional opportunities for enjoyment of these special qualities. The application is therefore considered to accord with Policies 1, 3, 5, 12, 14, 15, 17, 18, 19, 20 and 25 of the Northumberland National Park Local Development Framework, as well as Supplementary Planning Documents, National Planning Guidance and the National Park's key statutory purposes and duties.

## **RECOMMENDATION & CONDITIONS**

Grant planning permission 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, documents and correspondence:

- *Application Form received on 03/02/15*
- *Location Plan @ 1:2500 received on 03/02/15*
- *Site Plan @ 1:200 received on 03/02/15*
- *Design and Access Statement received on 03/02/15*
- *Elevations East/West @ 1:50 received on 03/02/15*
- *Elevations South/North @ 1:50 received on 03/02/15*

Reason: For the avoidance of doubt, to enable Northumberland National Park Authority to adequately control the development and to conform with Policies 1, 3, 5, 12, 14, 15, 17, 18, 19, 20 and 25 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

3. The shepherd's hut hereby permitted shall be constructed of reclaimed wood with cedar shingles for the roof. Should any variation to the materials be proposed, details and samples of the materials shall be submitted to and approved by the local planning authority and the hut shall be built in accordance with those approved materials.

Reason: To ensure the use of appropriate materials and to ensure that the development accords with Policies 1, 3, 18 and 20 and of the Northumberland National Park Core Strategy & Development Policies Document and the National Planning Policy Framework.

4. This permission relates to the provision of holiday accommodation. Occupiers of the approved shepherd's hut must occupy it for holiday purposes only. For the



avoidance of doubt, this type of Occupier must not be occupying the building as their sole or main place of residence. In order to facilitate the enforcement of the foregoing, a register of occupiers of the premises to which this planning permission relates shall be made available to the officers of local planning authority upon request, following 24 hours notice.

Reason: To ensure that the development hereby permitted is used for holiday accommodation only and to control the occupancy in accordance with Policies 5 and 10 of the Northumberland National Park Authority Core Strategy and Development Policies Document.

5. Prior to the fixing of any external lighting within the site, details of the external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Details should 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

The approved lighting scheme shall be installed in accordance with the approved details and shall be maintained as such during the operation of the office accommodation, unless removed entirely.

Reason: In order to ensure that there is no harmful impact upon the tranquility and intrinsically dark character of the National Park through excessive light pollution, in accordance with Policies 1, 17 and 19 of the Core Strategy and NPPF.

6. Should the shepherd's hut hereby permitted become permanently disused for a period exceeding twelve months, it shall be removed from the site.

Reason: To prevent an adverse impact upon the landscape and visual amenity in accordance with Policies 1, 3, 18 and 20 of the Northumberland National Park Authority Core Strategy & Development Policies Document.

**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 Development Management 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.

I hereby certify that the proposal may be determined by the Chief Executive or the Head of Planning or relevant Director under the current Delegation Scheme, and is hereby approved.

I hereby certify that the proposal may be determined by the Head of Development Management or the Chief Executive under the current Delegation Scheme, and is hereby approved.

	<b>Signature</b>	<b>Date</b>
<b>Planning Officer</b>		
<b>Head of Development Management/ National Park Officer</b>		