



DELEGATED DECISION REPORT

Application Reference Number	19NP0091
Description / Site Address	Change of use of land for the siting of a shepherds hut for the provision of holiday accommodation at Roses Bower, Roses Bower Cottage, Wark, Northumberland, NE48 3DX
Expiry date of publicity / consultations	7 November 2019
Last date for decision	11 December 2019

Details of Proposal

The application seeks permission for the change of use of land for the siting of a shepherds hut for the provision of holiday accommodation at Roses Bower, Wark, a farm within the open countryside, 550m northeast of Stonehaugh and 127m south west of the nearest dwelling, Low Roses Bower. The nearest public receptor points are the highway to the north, 221m away and a public right of way to the north east 155m away. The Shepherds hut has already been located on site abutting a large grey agricultural barn; however the hut is not currently being used. Parking for guests would be located upon the existing farmyard's hardstanding, located to the south of the shepherds hut. Access to the accommodation would be made on foot via a gate to the west of the associated garden area surrounding the hut.

The farm currently comprises a number of large barns, farmhouse (holiday accommodation), farm office, cottage (occupied by owners of Roses Bower) and Roses Bower Lodge, a holiday cottage. The Shepherds hut measuring 3m H x 2.8 D x 7.6m L is clad/ roofed in grey corrugated steel with timber fenestration and decoration, incorporating an open plan, 1 bedroom, living area with separate bathroom. All materials used are reclaimed which the applicant explains forms part of their eco-friendly approach to the development.

The hut would be served by the farm's utilities, an existing septic tank for foul drainage and a borehole for water abstraction.

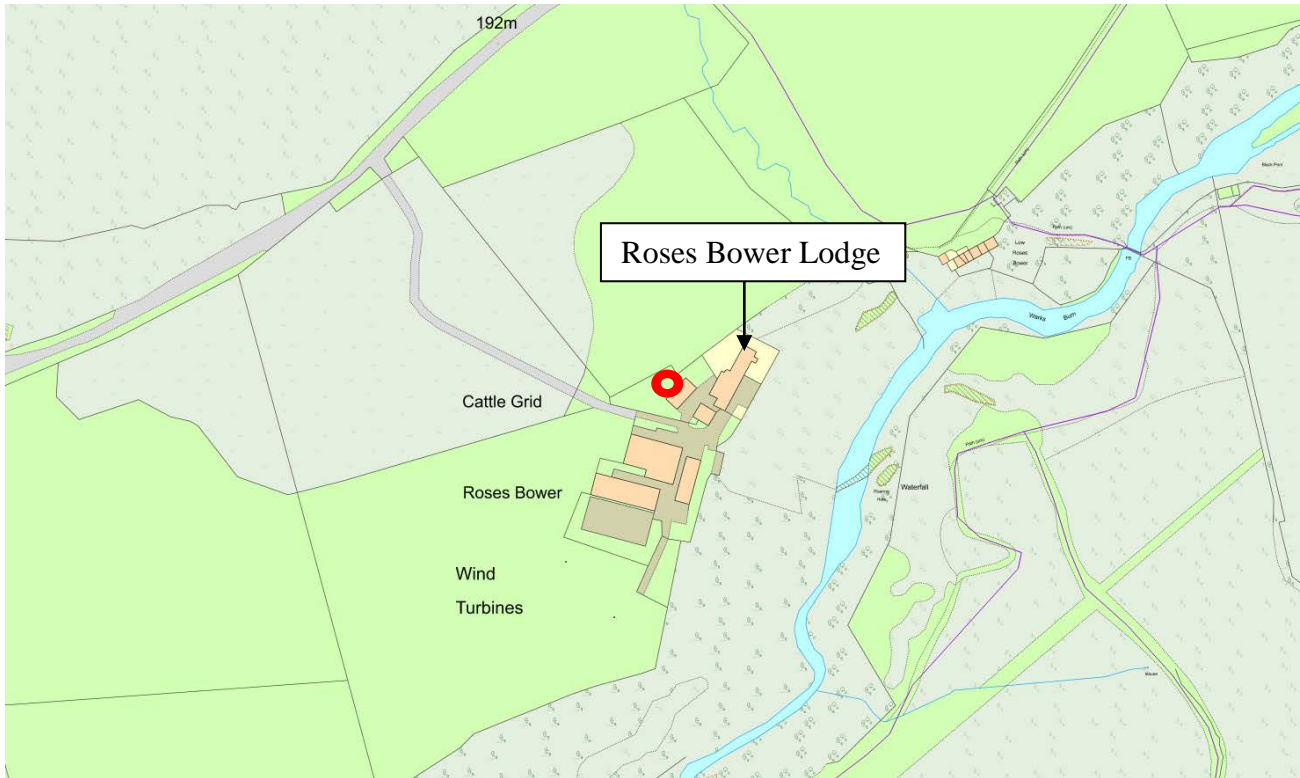


Fig 1 Location of shepherds huts in red



Fig 2 Shepherd's hut looking south east



Planning Policy & Guidance

National Policies

National Planning Policy Framework (NPPF) (2019)

National Planning Practice Guidance

Local Policies

Northumberland National Park Authority Core Strategy and Development Policies Document (Core Strategy) (2009)

Policy 1	<i>Delivering Sustainable Development</i>
Policy 3	<i>General Development Principles</i>
Policy 5	<i>General Location of New Development</i>
Policy 14	<i>A Sustainable Local Economy</i>
Policy 15	<i>Sustainable Tourism & Recreation Development</i>
Policy 17	<i>Biodiversity and Geodiversity</i>
Policy 19	<i>Tranquillity</i>
Policy 20	<i>Landscape Quality and Character</i>
Policy 25	<i>Renewable Energy and Energy Efficiency</i>
Policy 28	<i>Utilities and Infrastructure</i>

Northumberland National Park Local Plan 2017-2037 Publication Draft Plan

Policy ST1	Sustainable Development
Policy ST2	General Development Principles
Policy ST4	Spatial Strategy
Policy DM1	Community Facilities and Infrastructure
Policy DM7	Rural Economy and Diversification
Policy DM10	Habitats, Biodiversity and Geodiversity
Policy DM11	Landscape, Tranquillity and Dark Night Skies
Policy DM13	Renewable Energy
Policy DM19	Waste Disposal and Recycling Facilities

The NNP Local Plan has been submitted to the Secretary of State for examination. Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan is the Northumberland National Park Core Strategy (2009)



and the policies within the Core Strategy are considered to be in accordance with the NPPF and can therefore be given due weight.

Supplementary Planning Guidance

NNPA Building Design Guide Supplementary Planning Document (Design Guide SPD)
NNPA Landscape Supplementary Planning Document (Landscape SPD)

Consultation/Representations

NCC Public Protection – no comments received

Wark Parish Council – no comments received

The application has been advertised by a site notice displayed on the 24th October 2019. There are no neighbouring properties in the vicinity to consult. One letter of support has been received; however it was submitted by the applicant and cannot be taken into account.

Assessment

Matters to be taken into consideration:

- The principle of the development
- Design, visual impact and amenity
- Impact upon the National Park Special Qualities
- Highways
- Surface water and foul drainage
- Renewable Energy

The Principle of the Development

The National Planning Policy Frameworks (NPPF) sets out a presumption towards sustainable development to steer decision making. Core Strategy Policy 1 emphasises that development proposals will conserve and enhance the special qualities of the National Park. The effects of the proposed scheme on these special qualities are discussed in detail in this report.

The proposal site is located within an area of open countryside whereby Core Strategy Policy 5 restricts development to the re-use of existing buildings. New buildings may only be permitted where they cannot be located elsewhere and would provide opportunities for the public to understand and enjoy the special qualities of the Park, without negatively impacting on them.



In seeking to support a sustainable economy, Policy 14 of the Core Strategy supports proposals that enable the creation and expansion of new businesses that relate to the special qualities of the National Park but do not negatively impact upon them. Particularly those that result in the expansion of existing tourism employment uses and those employment activities that are home-based.

Policy 15 of the Core Strategy supports proposals for sustainable tourism developments that maximise opportunities for visitors to increase their understanding and enjoyment of the special qualities of the national park whilst not adversely impacting on them, particularly those that integrate with existing visitor facilities.

The application forms part of an existing holiday accommodation business, currently comprising of Roses Bower Lodge and farmhouse which are both run from the farm itself. The applicant mentions within their design and access statement that the proposal would help towards their business, increasing their occupancy rate of 85%, whilst offering an affordable option for tourist wishing to understand and enjoy the special qualities of the National Park that the proposal would help to preserve, in accordance with Policy 1, 14 and 15.

In seeking to support a prosperous rural economy, paragraph 83 of the NPPF states that planning policy and decisions should enable the sustainable growth and expansion of all types of business in rural areas through well-designed new buildings. Specifically through the development and diversification of land-based rural businesses. Paragraph 83 specifically mentions that sustainable rural tourism and leisure developments which respect the character of the countryside will be supported. The proposal is considered to be in line with the aims of the NPPF.

The scheme would not be located within a local centre or smaller village as identified within Core Strategy Policy 5, the focus for new development within the National Park. Policy 5 does however allow for developments within the open countryside where they will i) conserve and enhance the special qualities of the National Park and ii) provide opportunities for the public to understand and enjoy the special qualities. As assessed below, whilst the proposal is not considered to enhance the special qualities of the National Park, it is not considered that it will cause any harm to them.

In accordance with part aii) of Policy 5, the proposal would allow for the public to understand and enjoy the special qualities of the National Park. This in context with Policy 14 and 15 recognises that proposals which provide tourist accommodation and economic development may need to be located within the open countryside. Paragraph 8.10 of the Core Strategy recognises that *'it may not always be possible for development to be located within the identified settlements. Tourism and recreation development is an example of such a development which provides opportunities for the public to understand and enjoy*



the special qualities. The Sustainability Appraisal assessed this policy approach as offering strong benefits in terms of local job creation and the support of sustainable tourism’.

The benefits that would flow from the proposal’s positive contribution to the local rural economy and tourism, and the opportunities the proposal would offer visitors to experience, enjoy and understand the special qualities of the Park outweigh the minimal impacts arising from the proposal.

On the basis of the above, on balance, it is considered that the proposal would accord with the requirements of Core Strategy policies 5, 14 and 15 subject to consideration of the impacts the proposal will have upon the special qualities of the National Park.

Strategic Policy ST1 of the emerging Northumberland National Park Local Plan (NNPLP) adopts a presumption in favour of sustainable development, setting out the criteria for such development and specifying development that would be deemed unsuitable. It is considered that the proposal is in accordance with Policy ST1, however little weight can currently be given to this policy at this time.

Strategic Policy ST4 of the emerging Northumberland National Park Local Plan (NNPLP) guides development in relation to a spatial strategy. This emerging policy directs development to named settlements and limits development to specific uses within the open countryside. It is considered that the proposal is in accordance with this, however little weight can currently be given to this policy at this time.

Holiday Accommodation occupancy

The proposed development relates to the provision of tourist accommodation only. It is therefore considered appropriate to attach a condition restricting the occupancy of the accommodation to holiday use only, as permanent residential accommodation in this location would conflict with Core Strategy policies 9 and 10 and would require a Local Needs restriction in accordance with Core Strategy policy 10.

Design, Visual Impact and Amenity

Policy 3 of the Core Strategy, supported by the Building Design Guide Supplementary Planning Document, sets out design principles for new development with the Park. The policy mentions that materials should be appropriate to the site and its setting. The Design Guide states that development within the open countryside should sit comfortably within the landscape and take care to not harm views.



Fig 3 Looking south east towards shepherds hut from nearest public viewpoint

The hut sits adjacent to a large agricultural barn and very close to similar buildings to the west. Being approximately 2m shorter than the barn, the hut sits subordinately in scale to the surrounding built environment.

The proposed shepherds hut has been constructed in traditional, high quality design from sustainable/ reclaimed materials which the applicant states is a part of an eco-friendly scheme. The hut has been painted the same shade of grey as the agricultural shed it abuts with the use of timber fenestration, stained brown.

The colour match, scale and agricultural nature of the shepherds hut contributes towards a sympathetic and unobtrusive scheme that blends into its surroundings. As demonstrated in Fig 3, the shepherds hut is not immediately obvious from the nearest public viewpoint.

A condition is recommended as part of any approval to ensure the hut's grey colour is maintained so that the structure remains as unobtrusive as possible.

The nearest dwelling to the site is 127m to the north east; however it is not visible from the hut. There are no other properties in view of the site. Given the lack of neighbouring properties and the remoteness of the site, there are no opportunities for the proposal to give rise to any amenity issues.



It is mentioned within the design and access statement that the applicant intends to ensure the hut is wheelchair accessible, that grab rails and a wheelchair ramp will be implemented. As no details of the rails or ramp have been submitted, a condition is recommended as part of any approval requiring details be submitted and approved by the Local Planning Authority.

Taking into account the above information, the hut is considered to be appropriate for its setting and therefore accords with the requirements of Policy 3 with respect to design.

Strategic Policy ST2 of the emerging Northumberland National Park Local Plan (NNPLP) sets out General Development principles, permitting development where it maintains and enhances the distinctive character of the National Park. It is considered that the proposal is in accordance with this, however little weight can currently be given to this policy at this time.

Impact upon the National Park Special Qualities

Landscape

Policy 20 of the Core Strategy seeks to ensure the proposal will conserve and enhance the beauty and heritage of the National Park whilst being responsive to landscape change.

As discussed earlier in the report, the hut benefits from being located 221m away from the nearest road and 155m from the nearest public right of way.



Fig 4 Nearest road in foreground foreground



Fig 5 Nearest Public Right of Way in foreground

Being sensitively coloured to blend into the background of the agricultural built environment, it is very difficult to see the hut as part of the wider landscape and as such, the proposal is considered to accord with Policy 20 of the Core Strategy.



Policy DM11 of the emerging NNPLP echoes CS policy 20 and seeks to support development which gives great weight to the conservation and enhancement of landscapes. It is considered that the proposal accords with this emerging policy however little weight can currently be given to this policy.

Tranquillity

Policy 19 of the Core Strategy supports proposal that conserve or enhance the tranquillity of the National Park. As discussed earlier in the report, the hut is well camouflaged from public view by virtue of its grey colouring, it is far from the nearest receptor points and relatively small scale when viewed in its surroundings. No lighting has been proposed as part of the proposal which is located within The Northumberland Dark Skies Park. To safeguard the intrinsically dark nature of the Dark Skies Park, a condition is recommended to control any future lighting at the building..

Given the nature and size of the proposal, it is anticipated that any noise generated as a result of the scheme would be minimal.

It is anticipated that the proposal would generate a low level of impact upon the tranquillity of the Park and given its sensitive design and location would have little impact upon the sense of openness of the park and its quiet enjoyment. As a result, the proposal is considered to be in accordance with Policy 19 of the Core Strategy.

Policy DM11 of the emerging NNPLP echoes CS Policy 19 and seeks to support development which gives great weight to the conservation and enhancement of tranquillity and dark skies. It is considered that the proposal accords with this emerging policy however little weight can currently be given to this policy.

Special Qualities cont.

Due to the nature and location of the proposal, there are no Ecological or Cultural Heritage considerations to be made as part of this application.

Highways

Part c of Policy 3 states that 'All new development, activities, and uses of land within Northumberland National Park must uphold and promote the principles of sustainable development; new development will be permitted when: the development will not have any detrimental effects on highway safety or the rights of way network'.

The proposed holiday accommodation would be accessed by foot via a gate from the existing car parking area within the farmyard. The car parking facility itself being accessed via an electronically gated private track leading from the highway. The car parking area is



extensive, allowing space for multiple cars. Given the hut is one bedroomed, it is anticipated that only one car would be associated with each visit which would be easily accommodated by the substantial on site car parking facilities. A small and insignificant increase in traffic is expected as part of the proposal but given the extensive parking availability, it was not considered necessary to consult Highways.



Fig 6 farmyard parking area

Taking the above into account, the proposal is considered in this regard to accord with Policy 3 of the Core Strategy.

Strategic Policy ST2 of the emerging Northumberland National Park Local Plan (NNPLP) sets out General Development principles, permitting development where it ensures the proportionate creation of an accessible, safe and secure environment for all potential users with appropriate car parking provision and without compromising local highway safety. It is considered that the proposal is in accordance with this, however little weight can currently be given to this policy at this time.

Surface water and foul drainage

The applicant has demonstrated within their submission that it is impossible to discharge wastewater into a public sewer as the nearest is 5 miles from site. It is accepted that a connection the public sewer in this instance would be unfeasible.

It is proposed that the existing septic tank at Roses Bower be used for the foul drainage needs of the Shepherds hut. The unit currently serves the farmhouse, office, cottage and



lodge. The existing septic tank measures 4m x 1.5m x 1.8m providing a total capacity of 10800 litres.

The applicant has confirmed that the wastewater requirements of the proposal, including those of the existing business would equate to 16P (16 people per day). According to The British Water Code of Practice, a septic tank capable of processing such a load would require a minimum capacity of 4400 litres.

The applicant has confirmed that the proposal's wastewater requirements equate to 2P 300 litres a day, which is less than 10% of the septic tanks capacity. Whilst for new foul drainage arrangements, the use of a package treatment plant would be preferred over a septic tank, given there is an existing tank with the capacity to deal with the proposal's requirements, it would be disproportionate to require the installation of a package treatment plant in this instance.

Officers are therefore satisfied that the existing septic tank is adequate to deal with the increased demands of the business. Even so, a condition requiring the shepherds hut to be connected to the septic tank prior to its first occupation is considered appropriate.

The development is considered to be acceptable in terms of foul drainage, in accordance with Policy 3 and Policy 28 of the Core Strategy and the NPPF.

Strategic Policy ST1 of the emerging Northumberland National Park Local Plan (NNPLP) adopts a presumption in favour of sustainable development, setting out the criteria for such development and specifying development that would be deemed unsuitable, specifically discussing the topics of waste and water. It is considered that the proposal is in accordance with Policy ST1, however little weight can currently be given to this policy at this time.

The applicant has confirmed that the scheme would be connected to existing services, including the existing electricity supply and a private supply of water by way of a bore hole. Public Protection were consulted though no comments have been received.

Renewable Energy

Policy 25 requires all new developments, including conversions, to minimise the amount of energy used during construction, achieve high energy efficiency, and utilise renewable energy sources in order to offset at least 10% of the predicted energy requirements of the development.

The shepherds hut has been constructed entirely from reclaimed materials, reducing construction energy significantly. The applicant also intend for the proposal to be an eco-friendly scheme, encouraging recycling and plastic free living as part of its operation. The proposed scheme does not incorporate the installation of renewables; whilst policy 25



stipulates that this is a requirement for all new development, on balance, considering the nature of the hut, as holiday accommodation which is likely to incur less energy usage levels than a permanent residential dwelling, it is not considered reasonable to require the applicant to provide renewable energy technology in this instance.

Policy DM13 of the emerging NNPLP echoes CS Policy 25 and seeks to support development that demonstrate sustainable design and construction techniques incorporated where proportionate including measures to minimise waste and energy use and where appropriate use energy from renewable sources. It is considered that given the proposed use of the hut and its simple construction/ design, the measures discussed above, accord with this emerging policy however little weight can currently be given to this policy.

Recommendation & Conditions

Grant conditional 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, as required by Section 91 of the Town and Country Planning Act 1990 (as amended by 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:

- Planning Application Form received 11/9/2019
- Design and Access Statement received 11/9/2019
- Foul Drainage Statement received 16/10/2019
- Elevational plans Rev 1 received 16/10/2019
- Location plan received 16/10/2019
- Site plan received 16/10/2019
- Site aerial photo site plan received 11/09/2019
- Foul drainage email received 11:10am 26/11/2019
- Foul drainage email received 3:02pm 27/11/2019

Reason: For the avoidance of doubt, to enable the local planning authority to adequately manage the development and to ensure the proposal accords with policies 1, 3, 5, 14, 15, 17, 19, 20, 25 and 28 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).



3. The development hereby approved relates to the provision of short-term accommodation only and shall not be used at any time as permanent residential accommodation. Occupiers of the approved accommodation shall occupy this for holiday purposes only and shall not occupy this as their sole or main place of residence, or as a second home. The operators shall maintain an up-to-date register of the names of all occupiers of the holiday accommodation hereby approved and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To prevent a permanent and unrestricted residential use in an inappropriate open countryside location where this would not otherwise be in accordance with Core Strategy policies 5 and 9 and paragraph 55 of the NPPF.

4. Prior to the fixing of any external lighting associated with the development, details of the external lighting shall be submitted to and agreed in writing with 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 development, unless removed.

Reason: In order to ensure that there is no harmful impact upon the tranquillity and intrinsically dark character of Northumberland National Park and the Northumberland International Dark Sky Park through excessive light pollution, in accordance with Policies 1 and 19 of the Core Strategy and paragraph 180 of the NPPF.

5. The holiday accommodation hereby approved shall not be occupied until it has been connected to the septic tank in accordance with the Foul Drainage Assessment Form.

Reason: To ensure that appropriate infrastructure is in place to protect local amenity the wellbeing of local communities and to ensure the proposal accords with Core Strategy Policy 3 and the NPPF.

6. The holiday accommodation hereby permitted shall be coloured dark grey and its fenestration, natural shades of brown, unless otherwise first agreed in writing by the Local Planning Authority.



Reason: In the interests of the amenity of the surrounding area and the special qualities of the National Park, in accordance with Core Strategy policies 1 and 3 and the NPPF.

7. Should the holiday accommodation hereby permitted become permanently disused for a period exceeding twelve months, it shall be removed from the site in its entirety.

Reason: To prevent an adverse impact upon the visual amenity of the area, in accordance with Policies 1, 3, 18 and 20 of the Core Strategy.

8. Prior to the installation of any external hand rails or access ramps associated with the development, details of the handrails and access ramps shall be submitted to and agreed in writing with the Local Planning Authority. Details should include:
 - The specific location of all handrails and access ramps;
 - Design of all handrails and access ramps;
 - Details of access ramp gradients

The approved hand rails and access ramps shall be installed in accordance with the approved details and shall be maintained as such during the operation of the development, unless removed.

Reason: In order to preserve the visual appearance and amenity of the area, and the special qualities of the National Park, in accordance with Core Strategy policies 1 and 3 and the National Planning Policy Framework (NPPF).

Informative Notes

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, may constitute unauthorised development and may be liable to enforcement action.
- b) You, 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 application.

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. Some conditions may require work to be carried out, or details to be approved prior to the commencement of the development. Where pre-commencement conditions are not complied with, the whole of the development could be unauthorised, and you may be liable to enforcement action.



In some circumstances, the only way to rectify the situation may be through the submission of a new application. If any other type of condition is breached then you may be liable to a breach of condition notice.

Background Papers

19NP0091

	Signature	Date
Planning Officer	J Smith	28/11/19
Head of Development Management	<u>S Buylla</u>	<u>03/12/2019</u>