

Grouse Butts Ilderton Dod

Planning Supporting Statement

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	Prepared by		Josh Murphy		03/05/2021	
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Planning Statement

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1.0 Introduction

1.1. This Statement has been prepared by Fairhurst on behalf of R Brown & Sons (Lilburn Estates) in relation to a full planning application, for the installation of 2no grouse butts at Ilderton Dod, which is located in the Northumberland National Park.

1.2. As part of this application, Fairhurst have prepared this Planning Supporting Statement, which covers the following issues:

- Site and Surroundings;
- Planning History;
- Proposed Development;
- Planning Policy Assessment;
- Planning Considerations; and
- Conclusions.

1.3. This Planning Statement considers all relevant planning policies and material planning considerations that should be taken into account by the Local Planning Authority in the determination of this planning application. Fairhurst considers that all material planning considerations have been addressed within the Planning Statement and all additional information required to determine the application has been provided on the accompanying drawings and assessments to this application.

2.0 Site and Surroundings

- 2.1. The location of the application site is shown on the accompanying Site Location Plan (Dwg No: 141053/8001). The application site is located to the west of an existing line of 10no Grouse Butts at Ilderton Dod.
- 2.2. The site is owned by R Brown & Sons, however, shooting activities are run by Lilburn Estates, which includes the existing 10no Grouse Butts.
- 2.3. The site is located across Hare Law, Ilderton Dod, approximately 6km to the west of Wooperton. Grouse Butts are accessed via the existing small roads and tracks that are already used for the existing butts. The site is not located within any historical or ecological designations, although is located within the Northumberland National Park part of the Cheviot Hills.
- 2.4. The site is located half a mile south of the Allers and Lilburn Valley Junipers SSSI and is therefore located within an SSSI impact zone. However, the nature and scale of the proposed scheme does not match the corresponding development descriptions outlined by Natural England. Therefore, the proposed scheme does not need to be considered against likely impacts on the Allers and Lilburn Valley Junipers SSSI.
- 2.5. There are existing Grouse Butts located to the north of the proposed site, which obtained planning permission in 2015 (discussed further in section 3.0).

3.0 Planning History

- 3.1. A planning history search has been undertaken using the Northumberland National Park Authority (NNPA) online search facility, which found no relevant planning applications on the application itself.
- 3.2. However, a pre-application request was submitted to the NNPA on the 11th December 2020 for the works within the application. A response was received on the 26th January 2021 (Ref: 20/0075). The response covered a number of aspects of the development driven by planning policy, including the principle of development, design, amenity, biodiversity, landscape, heritage and drainage.
- 3.3. The pre-application concluded that there was no objection in principle from the NNPA to the proposed grouse butts subject to the submission of further information regarding the essential nature of the proposal and confirmation of peat depths.

4.0 Proposed Development

4.1. The description of the proposed scheme is:

Construction of 2no Grouse Butts.

4.2. Details of the design of the proposed Grouse Butts are shown on accompanying plan 141053/8002.

4.3. The Grouse Butts are to be made out of solid wood panels and posts, creating a sunken box measuring 1800mm x 1800mm. The depth of the butts will be a maximum of 1200mm and will be lined with gravel to act as a subbase floor to stop pooling water. They will also consist of steps leading up to the ground level. It is considered that the Grouse Butts will be almost identical to the existing examples as shown in the approved planning application 15NP0048.

4.4. Lilburn Estates is one of the premier shooting estates in the UK, which is popular with the local community and tourists. The scheme subject to this planning application seeks to improve and add to the existing facilities to maintain the attraction of the Estate. The grouse butts will be used to complement the existing facilities on the Estate's shooting days.

4.5. To avoid impact on ecology, the works will be undertaken in accordance with the attached Construction, Environmental Management Plan (CEMP), which includes the following mitigation:

- Works will commence in June/July when the majority of birds will have finished nesting and reptiles are active.
- Works will be undertaken by hand and, only if necessary due to difficult ground conditions, with a rubber tracked excavator.
- Materials will be taken to the site utilising a rubber-tracked dumper, utilising existing tracks.
- The top layer of vegetation will be carefully removed and replaced once works are complete.
- Hoggin will be used to create soakaways limiting the requirement for engineered underground drainage.

- A nesting bird checking survey will be undertaken by an appropriately qualified ecologist prior to commencement of works.
- 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°.
- As with the existing butts, the completed butts will be used a maximum of 12 times per year, with vehicles utilising existing tracks, and Argo Cats moving the guns over the more vulnerable habitats utilising ATV tracks.

5.0 Planning Policy Assessment

5.1. This section of the Planning Supporting Statement sets out the planning policies that are of particular relevance to the proposed scheme, which is located within the Northumberland National Park.

5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the duties of decision makers in the determination of planning applications and states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

5.3. Other material considerations, which have been taken into account, include the NPPF (2019) and the National Planning Practice Guidance (NPPG) published in March 2014.

5.4. The latest NPPF provides the national planning guidance, which this application will be determined against and is, therefore, a material consideration in the determination of this application.

5.5. The Northumberland National Park Local Plan was adopted on 15th July 2020, which replaces all policies in the previously adopted Core Strategy (2009).

National Planning Policy

5.6. Paragraph 11 of the NPPF provides direction for plans and decision making in planning applications should apply a presumption in favour of sustainable development, meaning for decision making:

- *‘approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted’.*

Presumption in Favour of Sustainable Development

5.7. Paragraph 8 of the Framework explains that there are three elements to achieving sustainable development:

“An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and

An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.

5.8. The three dimensions outlined above are mutually dependent and should not be addressed in isolation. Fairhurst considers that the proposed scheme represents sustainable development and accords with paragraph 8 of the NPPF in the following ways:

Economic Role

- 5.9. There is a range of economic benefits associated with the construction of the additional Grouse Butts.
- 5.10. The additional Grouse Butts will provide further sporting opportunities, in particular, the enhanced shooting experience will ensure individuals will return annually to further support other Estates activities. This will help to maintain employment for gamekeepers and beaters and catering staff as well as enhancing income into the local economy. Although precise figures would be hard to quantify, shooting activities provide a fundamental hub for economic redistribution across the National Park.
- 5.11. The benefits also directly influence businesses within the area, which thrives from tourism. This wider benefit includes the local hotel trade; with shooters, travelling from all over the UK and overseas to participate in the sporting activities. Therefore, the majority of shooters will require accommodation and subsequently are likely to take advantage of other local businesses including restaurants and pubs. This not only provides an initial economic benefit for the National Park but also presents an opportunity for local businesses to promote return visits outside the shooting season for family holidays and the like.
- 5.12. The employment provided by the Estate should be considered in the wider context of the local employment offer, recognising the rural nature of the surrounding locality. Therefore, Fairhurst considers that this proposed scheme satisfies the economic requirements of the NPPF.

Social Role

- 5.13. Socially, the benefits are mainly sought from improving the sporting availability provided by Lilburn Estate. The community which embraces the sport and is brought together regularly by a shoot should also be considered. A shoot's beating team is typically made up of local residents and provides an important social dimension to rural life, while at the same time promoting healthy living and outdoor pursuits.

- 5.14. Therefore, Fairhurst considers that this proposed scheme satisfies the social requirements of the NPPF.

Environmental Role

- 5.15. Section 15 of the NPPF sets out how planning policies and decisions should promote conserving and enhancing the natural environment. Paragraph 170 states that planning decisions should contribute to protecting and enhancing the valued landscapes, sites of biodiversity or geological value and soils, with paragraph 172 identifying National Parks as those which should hold the most weight.
- 5.16. Fairhurst considers that due to the limited nature of the proposed development any landscape and visual impact will be negligible.
- 5.17. Section 15 of the NPPF sets out the national policy for conserving and enhancing the natural environment. Paragraph 172 of the NPPF states that *“great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues”*.
- 5.18. Fairhurst consider that due to the typical subtle design and scale of the grouse butts, the development is for appropriate development within the National Park. It is also considered that facilities, which support sporting activities including grouse butts, are not uncommon within rural areas.

Promoting the Rural Economy

- 5.19. Section 6 of the NPPF sets out planning aims in relation to supporting a prosperous rural economy. Paragraph 83 states that, to promote a strong rural economy, planning 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”.*

5.20. Due to the growing popularity of sporting activities such as grouse shooting, development such as the proposed scheme is essential to meet demand. The increased activities will not only have a positive influence on the sporting side of the business but as it is a core commodity of Lilburn Estates, it shall seek to support the rural business across the board. Therefore, Fairhurst considers that the proposed scheme is in line with the NPPF as it supports economic growth in the local rural area by ensuring that rural businesses such as Lilburn Estates are protected and enhanced through projects such as the proposed.

Promoting High-Quality Design

5.21. Section 12 of the NPPF requires all development to provide high-quality design, as it is a key aspect of sustainable development. Paragraph 127 (a) stipulates the need for developments which *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development”.*

5.22. The design of the grouse butts have been influenced by previous examples, which have been granted planning permission in the surrounding area. As the grouse butts are typically sunken into the ground, they will not be clearly visible. Furthermore, the fact that they are made from natural materials helps fit the development into the surrounding landscape.

Environmental Sustainability

5.23. Paragraph 170 (a) of the NPPF states that planning 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 (in a manner commensurate with their statutory status or identified quality in the development plan)”.*

- 5.24. The wider surrounding area is known to contain evidence of peat and is popular with a range of birds. Therefore, an Ecological Appraisal (November 2019) undertaken by OS Ecology assessed any habitats present and their suitability to support a range of protected and notable species, as well as for evidence of the species being present themselves. The findings of the Ecological Appraisal are considered in Section 5.0.
- 5.25. The appraisal was formed through both desk and field studies of the proposed works area, to identify habitats of conservation value; priority habitats and; protected or priority species. The site is located within the Northumberland National Park and within 2km of 2no SSSIs; The Cheviot and The Allers and Lilburn Valley Junipers.
- 5.26. The area of the Grouse Butts comprises an active grouse moor with a mosaic of bare ground, acid grassland. Habitats surrounding the location are grass dominated, grazed and have been influenced by grouse moor management.
- 5.27. A Peat survey was undertaken across the two grouse butt sites and the access track which serves them. Depths were found between 30cm – 38cm.
- 5.28. A small number of priority species birds were recorded during the site visit. Although the local area provides some habitat, there was no evidence of reptiles or other protected species during the survey.
- 5.29. Mitigation measures have been provided based on the appraisal findings. They have been included within the CEMP, which will be included in the planning application and abided by during construction and operation.
- 5.30. It is considered that the proposed scheme will not have negative impacts on the environment and will, therefore, be in accordance with the policy aims of Section 15 of the NPPF.

Northumberland National Park Local Plan 2020

- 5.31. The Northumberland National Park Local Plan was adopted on 15th July 2020, which replaces all policies in the previously adopted Core Strategy (2009).

5.32. Strategic policy ST1 sets out criteria that proposals within the National Park need to meet to be considered sustainable development. The criteria relevant to this proposed development, as confirmed in pre-application advice from NNPA on the 20th January 2021, is as follows:

e) Improves biodiversity by protecting existing priority habitats and species or creates new priority habitats proposals improve biodiversity in the surrounding area.

5.33. This planning application has been supported by an Ecological Appraisal undertaken by OS Ecology, which was prepared to identify and describe any potential ecological receptors that may be present on-site or within an identified zone of influence; assesses whether proposals may impact the identified receptors; and identify potential mitigation, compensation or enhancement measures. 'The findings of the Appraisal confirm that due to the very small area of the proposed development any permanent ecological impacts are imperceptible. Further consideration to ecology has been summarised in Section 6.0 of this statement, however, it can be concluded that the proposal is in accordance with Strategic policy ST1 (e).

f) conserves the quality and quantity of natural resources, including water, air, soils and geodiversity proposal would conserve the quality and quantity of natural resources in the surrounding area.

5.34. As the proposed development is limited in size, it is considered that any impact on the quality and quantity of natural resources is extremely limited. It can be, therefore, be reasonably concluded that the proposal is in accordance with Strategic policy ST1 (f).

j) protects and enhances habitats that provide important carbon sinks, including peat habitats and woodlands.

5.35. As mentioned above, this planning application has been supported by an Ecological appraisal undertaken by OS Ecology, who as part of the survey, took peat surveys /depths and provided advice regarding any potential impacts. Whilst peat was identified within the area of works and at the access track, it was at a level less than 40cm, which as confirmed in the pre-application response from the NNPA, would be supported. Works will be undertaken CEMP, which is provided in support of this application. The usage of the track will be limited by controls under the CEMP, to 12 times per year, as there is currently no restriction on use.

5.36. Policy ST2 consists of general development principles that aim to “maintain and enhance the distinctive character of the National Park”. The relevant requirements, which have not already been responded to in other policy, have been extracted and assessed below:

a) The special qualities of the National Park will be conserved or enhanced

5.37. It is considered that the proposal will enhance the special qualities of the National Park by positively influencing the tourist industry in a sensitive manner, both protecting and adding to the quality of the area. It is hoped that the expansion of shooting facilities will increase tourism and generate income for the wider community.

b) The proposal is of a high quality design that will make a positive contribution to the National Park’s special qualities and the local environment incorporating high quality construction materials and design details that reflect or complement the local vernacular

5.38. The design of the grouse butts has been influenced by previous examples, which have been granted planning permission in the surrounding area. The design of the grouse butts is discrete by the very nature of being sunken which limits any views of the proposal in the immediate landscape they form part of. They will be made from natural materials, which will help blend the development into the surrounding landscape. The top layer of vegetation surrounding the butt would be removed and replaced. This design influence will reflect and complement the local vernacular and existing facilities.

c) The siting, orientation, layout, scale, height, massing and density of the proposal are compatible with existing buildings and the local built form

5.39. As mentioned above the proposal has been designed to blend in with the existing facilities on this site and across the national park. The existing Grouse Butts are now considered as part of the local built form.

d) The proposal is located in an area identified as being at the lowest risk of flooding unless it satisfies relevant sequential and exception tests and it can be demonstrated that the development will remain safe for users without increasing the risk of flooding elsewhere

5.40. The proposed development is located in Flood Zone 1 and is therefore considered low risk. The proposal will include Hoggins that are to be used to create soakaways limiting the requirement for engineered below ground drainage. The depth of the butts will be a maximum of 1200mm and will be lined with gravel to act as a subbase floor to stop water pooling.

k) The proposal ensures the provision of appropriate and proportionate services and infrastructure to meet the needs of the development and that these are capable of being provided without compromising the quality of the landscape

5.41. The proposed development will utilise the existing track that is connected to the shooting facility. Although the number of attendees will incorporate a minor increase, this can be accommodated within existing shoot vehicles and the number of shoot days will remain unchanged. The track use will be controlled to only 12 times per year by planning condition.

5.42. It is considered that in line with the above, the proposed development will be in accordance with Policy ST2.

5.43. The proposed development is located outside of the designated named settlements within Policy ST4 and is therefore considered to be located within Open Countryside (including farmsteads and hamlets) Policy ST4 states that development will only be permitted in Open Countryside in the following cases:

- a) *Where development reuses a building in a way that supports an economic use or meets the need for principal residence or affordable housing, and is also in accordance with Policy DM6;*
- b) *Where there is an essential need for development to meet the needs of farming, forestry, tourism, recreation and other rural enterprise or land management activities;*
- c) *Where it is essential to meet social or community needs and it can be demonstrated that there are no other suitable and available locations within the Named Settlements;*
- d) *Where the proposal is supported by other relevant Local Plan policies.*

5.44. Fairhurst considers that constructing the additional Grouse Butts will provide the underpinning to the existing business operations on-site and assist in diversification

opportunities to the benefit of the local economy. In terms of the proposal supporting the social or community needs, the site will not adversely affect the amenity of the local area in terms of visual impact and quality of the landscape. The Grouse Butts is considered a benefit for not only the Estate but for the surrounding area, which can enhance social wellbeing. The additional Grouse Butts will have a direct positive impact on the sustainability of the tourism industry in the area. It is already well known that the NNP is a great source of tourism in the area, attracting local tourism as well as visitors from overseas. Fairhurst consider that works are therefore in accordance with Policy ST4.

- 5.45. Local Plan policy DM10 considers biodiversity & geological conservation. The policy states that it aims to *'Maintain and where appropriate enhance features of ecological value and recognised geodiversity assets.'* The Ecological Assessment has highlighted all ecological features and recognised geodiversity assets on site, which due to the small nature of the works, concluded by providing some mitigation measure were necessary.
- 5.46. As requested by NNPA, peat depths were undertaken prior to submission of the application. The NNPA pre application response confirmed that the authority would not support proposals that would be excavated on areas of deep peat (0.4m or more) or give permission for driving over this habitat. Survey findings have confirmed that within the two grouse butt sites and the track, peat is at a depth no more than 0.4m (Section 3.0 of Ecological Appraisal). It is also important to note that the proposed development does not include any track works.
- 5.47. The pre-application response also outlined concerns that the increase of the intensification of the track, as a result of the development could cause an adverse impact on the existing environment. However, as previously mentioned, although the number of shooters within a shooting party may increase as a result of the proposed development, the increased number of shooters can be accommodated within the existing shoot vehicles. The proposed development will not increase the number of shoot days undertaken at or in the immediate vicinity of the application site above that already approved (12).

- 5.48. Fairhurst consider that the development will be in accordance with Policy DM10 of the local plan.
- 5.49. Policy DM11 conserves the landscape, tranquillity and dark skies qualities of the National Park. Fairhurst consider that other than minor impacts during the construction stage which are comparable to an agricultural worker digging a hole, it is not thought that the proposed scheme would be likely to have an unacceptable effect upon the tranquillity of the National Park, neither upon its character as an intrinsically dark area, its sense of openness or in terms of noise.
- 5.50. In terms of impact on high-quality sensitive landscape, this is considered to be imperceptible. Mostly, this is due to their sunken nature and general appearance in the open countryside. It is considered that this type of development could be classed as “countryside compatible”, meaning that it would not seem out of place, as long as it is in continuity with other examples seen within the National Park. As mentioned in this pre-application response, this would include any public views from the nearby Public Bridleway, which would be imperceptible. The existing features of the existing grouse butt areas and supporting tracks would be mostly unaffected in terms of wider landscape visual impacts.
- 5.51. In terms of the light generated from the site, the construction process will likely begin spring / summer 2021 (subject to planning permission), so there will be no need for lighting (working hours from 8:00am – 6:00pm). In addition to this, there will be no permanent or temporary lighting during construction. Overall, impacts from light generated are not considered a material planning consideration for this application.
- 5.52. In regards to ‘the sense of openness’ of the National Park, Fairhurst does not consider that the proposed scheme is likely to have significant effects. This is because the proposed scheme involves the construction of the Grouse Butts, which are typically below ground and will not impact the openness of the area.
- 5.53. Additionally, in terms of the effects on ‘the quiet enjoyment of the landscape’, Fairhurst considers that any effects will be minimal. This is due to the fact that as mentioned previously, noise is a minimal issue and will only have a small impact over the relatively short period of construction and during the use of the Grouse Butts,

which have limited use. The noise from construction is comparable to an agricultural worker working in a field. Therefore, Fairhurst considers that the proposed scheme is in accordance with the aims of Policy 19.

6.0 Planning Considerations

6.1. Following the consideration of the Planning Policy, Fairhurst have concluded the acceptability of the proposed scheme and planning application in relation to the following environmental/technical issues:

- Principle of Development;
- Sustainable Design;
- Landscape and Visual; and
- Natural Heritage.

Principle of Development

6.2. The proposed scheme aims to provide improved facilities, which will contribute to the shooting activities undertaken within the National Park. The pre application response from NNPA confirmed that the authority had “no objection in principle to the proposed grouse butts subject to the submission of further information”. It is considered that this application was provided with the requested information to allow for a planning application to be approved. Also demonstrated within the planning policy section of this Planning Supporting Statement, the proposed scheme is considered to be in line with the NPPF and Northumberland National Park Local Plan.

Sustainable Design

6.3. As previously mentioned in the planning policy section, the proposed scheme has been influenced by previous examples, which have been granted planning permission in the surrounding area. By the very nature of grouse butts themselves, they are designed to be discrete for the best possible shooting experience. The grouse butts are constructed from natural materials, which is wood and gravel most likely sourced locally. There are limited opportunities to conserve the quality and quantity of natural resources, which would pose no threat to any natural resources.

Landscape, tranquillity and Visual

6.4. Although the proposed scheme is to introduce new features within the National Park, it is considered that these are sympathetic additions, which will blend into the existing context of the rural area. The grouse butts will be completely sunken into the ground so the visual impact on the landscape will be minimal.

Natural Heritage

- 6.5. An Ecological Appraisal has been produced in support of this planning application, which assesses the potential impact of the proposed scheme on local species and habitats. The report outlines that the design of the proposed scheme has an approach which minimises the potential impacts upon key ecological interests with mitigation measures to ensure minimal impacts occur.
- 6.6. The main ecological consideration in this planning application is the potential for peat in the locality of the application site. Therefore, a peat survey was undertaken and the results are provided in Section 3 of the Ecological Appraisal, which confirmed that Peat depths across the site and track would not exceed 40cm. It should be noted that works will be undertaken in accordance with the CEMP, which is submitted with the Ecological Appraisal. This includes controls to the development works and use of the facilities, which will limit any impact on the protected features. The findings of the survey and nature of the proposal would lead to the conclusion that the works will not have an adverse impact on the natural environment, in particular the existing peat.
- 6.7. Mitigation measures have also been put into place to protect sensitive receptors, such as Breeding Bird, Reptiles and other mammals. It is considered with all mitigation measures in place, alongside best working practice and planning controls, there will be no significant impacts on ecological receptors.

7.0 Conclusion

- 7.1. Fairhurst have been appointed on behalf of R Brown & Sons (Lilburn Estates) in relation to a full planning application, the installation of 2no additional grouse butts within Northumberland National Park.
- 7.2. This Planning Statement has identified a significant number of supporting factors and benefits to be derived from granting planning permission for the proposed scheme.
- 7.3. As such, Fairhurst considers that the principle of development is acceptable and the proposed scheme is in accordance with the planning policies of the Northumberland National Park Local Plan. Additionally, the proposed scheme is sustainable and in accordance with national policies within the NPPF. The application should, therefore, be granted planning permission without delay, in accordance with Paragraph 11 of the NPPF.

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