

DMC	Application for planning permission
Application No:	22NP0056
Proposed Development	Outline application for the construction of two self-build principal residence houses at Land to the east of Walltown Lodge, Greenhead, Northumberland, CA8 7JD
Applicant Name	Mr and Mrs Forwood
Reason for DMC Decision	The application raises issues of significant public interest, and the recommendation is contrary to more than 3 written representations
Recommendation	Refuse planning permission

1. Introduction

- 1.1 This application seeks outline approval for the construction of two self-build principal residence dwellings on land to the east of Walltown Lodge. The application site is located approximately 400m to the north of the B6318 and 80m to the south of Walltown Country Park. Walltown Lodge, a residential property which offers B&B and self-catering accommodation, lies adjacent to the site to the west, with the Roman Army Museum and Carvoran House, further to the west. Access to the site is via the unclassified roads which lead north then east from the B6318. The site is approximately 1.4km from the village of Greenhead, which lies outside of the National Park. The site sits within the within the Frontiers of the Roman Empire World Heritage Site (Hadrian's Wall) and adjacent to part of the Scheduled Monument.



Figure 1: Site Location

- 1.2 The site is described by the applicant as “currently not in use, previously use as garden”. The Ecological Impact assessment categorised the land as amenity grassland with scrub, with some wetland vegetation. There are no buildings present on site.



Figure 2: application site

- 1.3 The application is seeking outline approval for two self-build principal residence houses on the site. As all matters are reserved, which means the purpose of the application is to assess the principle rather than detail of the application. However, an indicative plan has been submitted which indicates that the dwellings would be two storey each with a detached garage and constructed from stone and slate. The vehicular access would be from the north of the site from the unclassified road which passes the site in an east-west direction. The layout is set out below

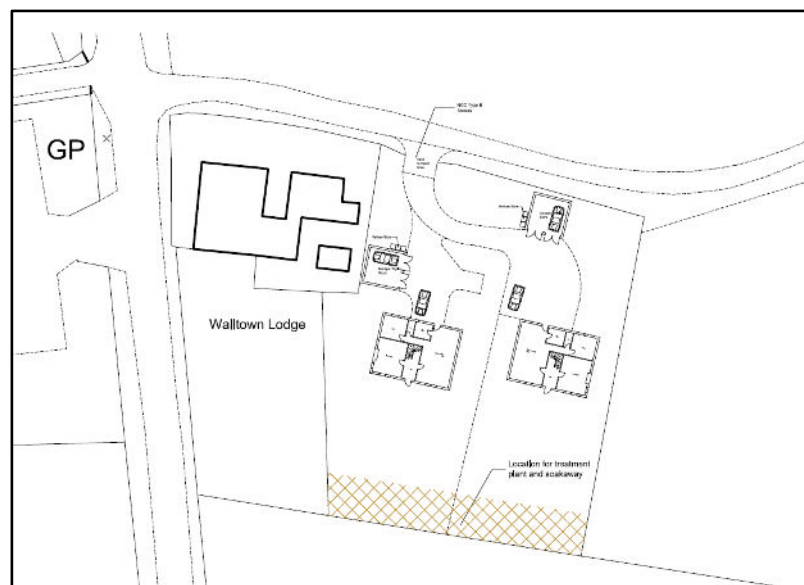


Figure 3: Proposed site layout showing access and layout of proposed houses

- 1.4 Whilst the proposal is outline, as required by planning guidance an indicative scale of the dwellings has also been shown, which can be seen below. The proposed houses are shown to be sizeable

detached two storey dwellings accommodating 3 to 4 bedrooms each. They are shown to have an indicative height of 8.9m, with the width sizeable at 12.6m each and a depth of 9.6m.



Figure 4: proposed elevations (outline)

- 1.5 The site is within the open countryside and does not fall within an identified named settlement in the Local Plan.

2. Planning Policy & Guidance

2.1 National Policies

- National Planning Policy Framework (NPPF) (2021)
- National Planning Practice Guidance

2.2 Local Policies

Northumberland National Park Local Plan

- Policy ST1 Sustainable Development
Policy ST2 General Development Principles
Policy ST4 Spatial Strategy

- Policy ST5 New Housing
- Policy DM3 Affordable Housing
- Policy DM4 Rural Workers' Housing
- Policy DM9 Transport and Accessibility
- Policy DM10 Habitats, Biodiversity and Geodiversity
- Policy DM11 Landscape, Tranquillity and Dark Night Skies
- Policy DM12 Trees, Woodlands and Forests
- Policy DM13 Renewable Energy
- Policy DM14 Historic Landscape Assets and Built Heritage
- Policy DM15 Archaeological Heritage

2.3 Supplementary Planning Guidance

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

3. Relevant Planning History

- 3.1 Reference 88NP003 relating to Walltown Lodge adjacent. *Alterations and conversion of two former cottages to form one dwelling unit, installation of septic tank and siting of LPG tank.* Approved 10 May 1988. The plans show a septic tank and soakaway for Walltown Lodge located on this site.
- 3.2 Reference 08NP0016 relating to Walltown lodge adjacent. *Change of use from residential dwelling to guest house accommodation at Walltown Lodge, Greenhead, Brampton, Cumbria, CA8 7JD.*

4. Consultee Responses

4.1 **Greenhead Parish Council: No objection**

- 4.2 **Historic England: Initial Response: Further information Required:** Historic England has concerns about this application, both with reference to its potential direct archaeological impact, and its impact on the setting of the adjacent scheduled monument and World Heritage Site. These concerns will need to be addressed appropriately before any decision is taken on this application.

Further response on additional information: The archaeological evaluation of the site shows the site has low potential for presence of important archaeological remains. On this basis, we do not consider the potential for direct archaeological impact from the development to be a reason to oppose the granting of permission for the proposed development. Potential setting impact is difficult to assess given outline nature of proposals.

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 194 of the NPPF.

- 4.3 **NCC Highways: Fundamental Objection:** The proposed development is situated in a location that does not promote a genuine choice of sustainable connections, contrary to national and local policy, and is reliant on access via private car.

Highways further response: Development is not supported by national or local policy as it is development where users would be reliant on access via private car given frequency of existing public transport and distance to local amenities. The principle of the creation of an access in this location is acceptable. Highways safety issues can be resolved through conditions and so can be technically acceptable, notwithstanding the sustainability concerns.

- 4.4 **NCC Public Protection: No objection:** Subject to conditions relating to contaminated land (if found unexpectedly) and ground gas/ radon. An informative is needed for the private water supply.

- 4.5 **NNPA Ecologist: No objection:** Subject to submission of a Construction and Environmental Management Plan (CEMP) and details of Biodiversity Net Gain.

- 4.6 **NNPA Historic Environment Officer: Initial Response: Further information required:** In light of the sensitivity of the site, further information is required in order to be able to determine a planning application for developing the site.

Further response after receipt of further archaeological information: The site falls within an area of extremely high archaeological and historic landscape significance. The field evaluation failed to identify any archaeological remains and consequently the potential for the development to cause direct harm to significant archaeological deposits is low, thus reducing the likelihood that any significant archaeological remains exist anywhere across the site. Given the size of the evaluated area, however, and the possibility that small, localised archaeological features might survive across the wider site, the requirement for a watching brief should be considered in a detailed planning application.

In summary, the lack of significant archaeological features in the excavated trenches supports the principle of development on the proposal site. However, detail on scale and potential to cause harm to the setting of heritage assets in the wider area, within a World Heritage Site made of distinct elements within a wider landscape, needs to be established and clear and convincing justification provided.

- 4.7 **NNPA Landscape & Forestry Officer:** Proposed development would have a significant effect upon landscape character of this part of the National Park based on the scale of the proposed buildings and the urbanising effect to the landscape character.

- 4.8 **Public response:** The application has been advertised by means of letters sent to seven neighbouring properties as well as a notice displayed at the site on 9th August 2022.

- 4.9 Sixteen letters of **support** have been received. Many of these were received local businesses in Haltwhistle and Greenhead (outside of the National Park but nearby towns):

- Site is within walking/ cycling distance of Greenhead
- Site is served by local buses
- Two additional houses will support custom to pubs, restaurants and other local businesses
- New housing benefits local school, shops and other public facilities
- The proposals will support ongoing tourism developments in the area
- Cannot see any adverse effects on neighbours or surroundings

- Site has been previously developed
- Suggested housing will be built to latest energy efficiency standards
- Natural stone and slate would be in keeping with local buildings
- Create much needed family homes
- Self build homes are needed
- Extra revenue from council tax

4.10 34 letters of **objection** have been received. A large number of the objections were received from outside the National Park, however some letters are from immediate neighbours at Walltown. The comments received raise the following issues:

- Highly visible on only approach to Walltown Crags
- Single track is unsuitable due to amount of walkers and lack of visitor parking
- Walkers including school children use the narrow road to Hadrian's Wall further to the east
- Not sustainable as only limited bus service
- Parking would be problematic due to single track
- Need houses for young/ first time buyers
- Houses would significantly impact on beauty and landscape of surrounding area
- Blight on the landscape
- Unsightly and visible from Walltown Crags
- Type of housing out of place
- No need for housing in this area
- Building work would impact on existing residents and businesses including B&B
- Disrupt the peace and tranquillity of the area
- Guest house is in peaceful location
- Light pollution of new homes and impact on habitats
- Harmful to local wildlife, flora and fauna established in immediate area
- Land contains the septic tank for Walltown Lodge (for 34 years)
- Land between site and Walltown lodge is used as a soakaway for the septic tank
- Health and safety concerns as sewage treatment plant would be very near (50m) from borehole for drinking water/ contamination
- Undermines several core policies of the Local Plan – development outside service areas will encourage further cars on the road, contrary to ST1 and DM9
- Building on undeveloped land takes away habitat of wildlife, contrary to policy ST2
- Does not meet policy ST4 for new build in open countryside.
- Does not meet criteria for policy ST5 for new housing
- New build accommodation should not be permitted in such a rural area
- Far too much intrusion on green spaces elsewhere before starting in areas such as these, these are the areas that people, such as myself, go to to get away from built up towns and villages, to enjoy the landscapes, views, isolation.
- The site is home to a very healthy population of hedgehogs which are designate a species of "principal importance" under the NERC Act.

- Common lizards and barn owls have been seen on the site, as well as deer and a very large bat population.
- If this were to be allowed it would open the door for future builds.
- Not sustainable location as no water supply
- Known water problems in the area, two substantial family dwellings unlikely to be fed from existing spring fed supply
- Potential impact on archaeological heritage as always a consideration in this World Heritage Site.

5. Assessment

5.1 The key material planning considerations are:

- The principle of the development – Sustainable development; location of development; new housing;
- Design and residential amenity;
- Impact upon National Park Special Qualities -Landscape; Biodiversity; Tranquillity; Cultural Heritage;
- Highways;
- Contaminated Land
- Foul drainage and water supply
- Other issues

Principle of the development – Sustainable development

5.2 The National Planning Policy Framework (NPPF) places emphasis on a presumption in favour of sustainable development to guide decision making. Strategic local plan policy ST1 of the Local Plan adopts a similar presumption in favour of sustainable development and defines the qualities and criteria which are deemed to represent ‘sustainable development’. The degree to which the proposals accord with these qualities is discussed throughout the report. Of particular relevance to this application are parts a), d), e) and l) which relate to making the National Park a high-quality place to live and work; protecting landscape character; protecting and enhancing biodiversity and conserving and enhancing the historic environment of the National Park, respectively.

5.3 Part 1 b) of strategic local plan policy ST1 requires sustainable development to be development that reduces the need to travel and encourages sustainable modes of travel. As set out in this report below the proposal is not considered to meet with this aspect of the policy. Despite reference to the site being used in the past as allotments, national planning policy specifically excludes allotments and gardens from being considered previously developed land. Officers consider the site to be a greenfield (undeveloped) site and therefore would not meet with part g) of policy ST1 which requires priority to previously developed land and buildings. There is no evidence of development within the site and even if there may have been some in the distant past there is no evidence of it remaining on site.

Principle of development – location of development

- 5.4 Paragraph 79 of national policy (NPPF July 2021) states that *‘To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby’*. Paragraph 80 states that *‘Planning policies and decisions should avoid the development of isolated homes in the countryside’* subject to certain exceptions which are analogous with the criteria detailed in Local Plan policy ST5, as considered in detail below.
- 5.5 Strategic local plan policy ST4 provides the framework for the location of new development within the National Park with Part 1) identifying a suite of ‘named settlements’ which are the focus for new development. As the application site does not fall within ones of the ‘named settlements’ it would be classed as falling within the ‘open countryside’.
- 5.6 While the information submitted in support of the application states that the site is close to other built development; would help sustain existing services in Greenhead; and also has good transport links with bus stops, a station and cycle routes in close proximity, in policy terms the application is located in the open countryside and needs to be assessed on that basis. It should be noted, that although the applicant suggests the location offers realistic alternatives to private car use, NCC Highways have refuted this suggestion, raising a fundamental objection to the proposals on the grounds that the location does not promote a genuine choice of sustainable connections and would, in general, place a reliance on private car use. This is also an issue which has been raised by a number of objectors to the proposals.
- 5.7 In the open countryside, Strategic policy ST4 states that new development will only be allowed where it meets with one or more of criteria detailed under Part 2. Part a) relates to the reuse of existing buildings while part c) relates to development which is essential to meet social or community needs. Neither of these are relevant to the proposal. Part b) relates to development needed to support rural enterprise or land management activities. As the application is for residential new build and there is no indication that the proposals are required to support any land management activities, it is not considered that this criteria is relevant to the application. Finally, part d) will allow development in the open countryside where it is ‘supported by other relevant Local Plan policies.’. The most relevant to the principle of the development is Policy ST5 which relates to new housing, and which is considered in detail below.

Principle of development (New Housing)

- 5.8 Strategic Policy ST5 provides the overarching framework for the location of new housing within the National Park. Part 3 a) allows for new housing within the named settlements, however, as the application site is not within a named settlement, part 3 b) is relevant as this relates to new housing in the open countryside. Criteria i) – vii) detail when new housing will be allowed in the open countryside, with each point considered in turn below.
- 5.9 Part 3 b) i) allows for new principal residence housing in the open countryside where there is an essential need to support farming, forestry, or other land management activities. There is no indication within the supporting information to suggest that the housing is being forwarded on that basis, rather it is stated that the intention is to provide for two self-build residential properties.

- 5.10 Part ii) relates to development which represents the optimal viable use of a heritage asset or would provide enabling development to secure the future of a heritage asset. Again, there is no suggestion that the proposal is being forwarded on that basis and given the location within the buffer to the WHS, more pertinent is whether the proposals would cause direct harm to buried archaeology or the setting of the WHS (see comments in relation to Cultural Heritage). Part iii) and iv) relate to the reuse of an existing building or the subdivision of an existing residential dwelling, neither of which are relevant to the current application.
- 5.11 Part v) allows for new housing within the open countryside where the design is of 'exceptional quality'. The agent is not putting forward this proposal under this criterion. While the application has been submitted in outline and does not include any detailed design proposals, the indicative plans suggest that the intention would be to provide two, two storey stone and slate properties similar to housing which has recently been approved within Greenhaugh, also in the National Park. The intention would be to provide houses typical of new development within the National Park and would therefore fall somewhat below the high-bar required for the development to be regarded as 'truly outstanding'. In addition, it is not considered that the provision of two substantial, two storey dwellings in a location which is largely characterised by scattered dwellings of low form would 'significantly enhance its immediate setting' or be 'sensitive to the defining characteristic of the local area' as, due to the lack of any natural screening, the properties would likely be the most prominent development in the area when viewed from the B6318 Military Road, the main visual receptor for the site (see also comments in relation to landscape and design).
- 5.12 Parts vi) and vii) relate to replacement of an existing dwelling and conversion of an existing building respectively, neither of which are relevant to the current application.
- 5.13 In summary, the proposals would result in the provision of two new principal residence houses in the open countryside. The supporting information provides no justification as to the need for the development or how it complies with relevant Local Plan policy, notably the criteria detailed under Part 3 b) of policy ST5. In light of the lack of any compelling evidence to demonstrate otherwise, it is considered that the provision of two new self-build principal residence dwellings in this location would represent an unsustainable form of development in the open countryside, with the occupant's relying on private car use for most journeys, contrary to the spatial strategy advocated by Local Plan policies ST4 and ST5 and the NPPF.
- 5.14 The proposed housing is being put forward as self build housing. Whilst part 5 of strategic policy ST5 supports self-build principal residency housing in principle, this would not override or give more weight to a proposal that is in an open countryside and unsustainable location. Self-build housing tends to be the main type of housing that is developed in the National Park in the named settlements. The houses being self-build do not outweigh the presumption against new housing in the open countryside.
- 5.15 While a number of letters of support have been provided on the grounds that new housing in this location will help to support local businesses and services in Greenhead and the wider area, the same argument could be made in support of any new accommodation in the open countryside as however remote the location, the occupiers will still need to make use of the nearest shops, pubs, schools, and other facilities. The benefits to these local businesses would still arise if the new housing were to be located within a named settlement or in Greenhead and Haltwhistle, where the majority of these businesses are based. This argument does not override the presumption against new housing in an unsustainable open

countryside location for which no need has been identified, and which officers consider is contrary to the spatial strategy advocated by strategic local plan policies ST4 and ST5.

- 5.16 Comments have been made by the applicant's agent regarding sustainability and the proximity of the site to the Roman Army Museum and Walltown country park, both experience significant visitor numbers each year and many of which arrive by car. However, these are established visitor attractions, within a National Park, supported by the statutory purpose of National Parks *to promote opportunities for the understanding and enjoyment of special qualities of the Park by the public*. Both these attractions have a specific locational reason to be located within the open countryside, in that the Roman Army Museum is located at the fort at Magna, Carvoran (established in 1971) and the country park at Walltown came from the restoration of the working quarry in the 1970s. There is no such statutory support for new housing in the open countryside.
- 5.17 Allowing new housing in an open countryside location without justification and contrary to local plan strategic policies would set a precedent for new housing across the whole of the National Park. If permission was granted in this location, it would be difficult to resist any new housing applications in open countryside across the National Park as there is nothing special or unique about the case put forward by the applicant at this site.
- 5.18 The agent suggests *"the site is in a sustainable location and the new dwellings will not be isolated"* however the proposal is contrary to the authority's spatial strategy and officers disagree that this is a sustainable location. Greenhead, the nearest village is an approximate 1.3 kilometres away, which is a 20 minute walk from the site. Whilst it is accepted there is a separate footpath from the road from Greenhead this does not extend the whole distance and stops short by approximately 450 metres from the site. The remainder of the route would be on unlit roads with no footpath separation. Not only is the path alongside the military road unlit, there is also a considerable increase in gradient from Greenhead to the site. The road signs state the gradient is 14%.
- 5.19 The agent also suggests that the site is served by a bus service but has not provided any details of frequency or whether this is a viable alternative to a private motor car for occupiers of the proposed houses. Hadrian's Wall Country Bus AD122 is primarily a tourist route, along the Hadrian's wall sites. There is also the 681 which runs from Walltown road end but only goes as far as Birdoswald Roman Fort in one direction and Alston in the other direction. Whilst there may be a better bus service from Greenhead the considerable gradient involved would mean it's not a viable alternative. This again shows that Greenhead village itself would be a more suitable location for new market housing than this open countryside site.
- 5.20 To conclude, the site is located in an unsustainable location for new housing, physically detached from nearby or named settlements and would be heavily reliant on the use of a private motor vehicle to allow for day to day living of any potential occupiers. The proposal fails to accord with the Authority's spatial strategy, which requires new housing development to be located within a named settlement and does not demonstrate an essential need for it to be acceptable within the open countryside. The proposal would not constitute sustainable development contrary to national planning policy framework (NPPF) and Northumberland National Park Local Plan policies ST1, ST4 and ST5.

Design and residential amenity

- 5.21 Strategic policy ST2 sets out the general design principles for development within the National Park. Proposals need to be of high quality design that make a positive contribution to the local environment incorporating high quality construction materials and design details that reflect the local vernacular. It also requires the siting, orientation, layout, scale, height, massing and density to be compatible with existing buildings and the local built form. Sustainable construction techniques should also be used.
- 5.22 As noted, the application has been submitted in outline with the detailed design of the properties to be determined at reserved matters stage should the application be approved. The indicative plans do however indicate that the properties would be substantial two storey dwellings with detached garages. Whilst these may be appropriate within named settlements of the National Park, this is a countryside location, near to single storey buildings. It is considered their proposed design, namely size and prominence, within the open landscape would not reflect the local environment as required by strategic policy ST2.
- 5.23 Letters of both support and objection have been received in relation to the proposed design and potential landscape impacts of the development. Support has been offered on the grounds that the dwellings would not be unduly prominent and would be constructed from materials to match existing properties in the area, while objections have been raised on the grounds that, amongst others, that the development would spoil the natural beauty of the area and would be highly prominent from Walltown Crags.
- 5.24 In relation to the external finish of the properties, although only indicative, the submitted information indicates that the properties and detached garages would be of traditional stone and slate construction, incorporating stone detailing. The use of traditional materials is considered appropriate to the setting, being generally reflective of the external finish of both the neighbouring property and other properties in the wider area. Notwithstanding the above, had the principle of the development been deemed acceptable, conditions would have been recommended requiring full details of the materials to be used externally on the properties to be submitted at the reserved matters stage, to ensure their suitability.
- 5.25 In terms of amenity, strategic policy ST2 requires proposals *“will not have an unacceptable adverse impact upon the amenities of occupiers.”* While only indicative plans have been provided at this stage, it is considered that through appropriate consideration of amenity at the detailed design stage, the proposals would be able to adequately safeguard existing levels of amenity for the residents of Walltown Lodge (as the only adjacent property) as well as those of the occupiers of the new properties. It is considered that the scheme would be able to provide sufficient separation distance from neighbouring properties (both within and outside the site) to prevent inappropriate overlooking or an overbearing impact on adjacent properties. Had the principle of the development been deemed acceptable, any approval issued would have included a number of conditions to safeguard residential amenity, with further consideration given to this issue at the Reserved Matters stage.

Impact on special qualities of the National Park

Landscape

- 5.26 National planning policy (NPPF) emphasises the importance of landscape in National Parks and states in para 176 that *‘Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks ... which have the highest status of protection in relation to these issues.’* Strategic policy ST1 is supportive of development which *‘Protects*

or enhances the landscape character of the National Park through use of high quality design, appropriate landscaping and removal of unsightly development’ with strategic policy ST2 requiring proposals to be 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’.

- 5.27 Policy DM11 states that the natural beauty and heritage of the National Park will be conserved and enhanced whilst being responsive landscape change. To achieve this, new development will need to ensure that *‘the visual impact of the development in its immediate and wider setting is minimised through high quality design that reflects local landscape character with particular regard to scale, siting, materials and colour’.*



Figure 5: View to application site showing low form of adjacent development

- 5.28 In relation to the form and mass of the proposed buildings, by virtue of being two storey, they would be significantly larger than the buildings associated with the adjoining property, Walltown Lodge, as well as those generally found within the wider area. The buildings would appear particularly prominent when viewed from the main visual receptors for the site, the B6318 Military Road to the south and the ‘C’ road which passes in a northerly direction past the site to the west. It is however acknowledged that from both of these locations they would be viewed against the background of the established woodland to the north of the application site.
- 5.29 The development pattern in this area is generally characterised by a main property with associated outbuildings, many of which have been converted to holiday use. The provision of two substantial two-storey detached dwellings with detached garages would, in this context, have an urbanising effect which would be at odds with existing landscape character.

While it is acknowledged that Carvoran House and the wider Roman Army Museum site contains a number of buildings, and approval has recently been granted for further development under 22NP0037, the impact of these buildings is tempered by virtue of existing woodland largely screening the buildings when viewed from key visual receptors, notably the B6318 to the south and the unclassified road to the east.



Figure 6 shows the generally sporadic, low density, scattered nature of development within the area.

- 5.30 The Head of Conservation has provided comments from a landscape perspective. Having identified the site as within the Tyne Gap and Hadrian's Wall National Character Area, he advises the overall land management strategy for this area is to *"conserve and sensitively manage."*
- 5.31 The key publicly accessible receptor sites that come into play with regards this development include:- the B6318 Military Road, the minor county road from the B6318 Military Road leading to the Roman Army Museum and Walltown Country Park and the road off this passing north of the application site leading to Walltown Farm. In addition, there are the Hadrian's Wall and Pennine Way National Trails passing just to the north of the site and Sustrans Route 72 Hadrian's Cycleway 300 meters to the south, the car park for the Roman Army Museum 60 metres to the west and the Walltown Country Park just 5 metres across the access road to the north.
- 5.32 In terms of building style, the proposed traditional stone and slate construction would be in keeping with other buildings in the local area. With respect to the likely effect on the landscape character and views at this part of the National Park, it is considered that from certain receptor sites to the south and west, the proposed two story buildings with high attic rooms would be regarded as being visually prominent within the landscape based upon their height and scale when set against the adjacent Walltown Lodge property. In terms of the Guidelines for Development set out in the Landscape SPD, the proposals as indicated would

not be “as low-key as possible, conserving the wild character of the setting of Hadrian’s Wall – care should be taken to avoid development that may alter or urbanise the landscape character”.

- 5.33 Taking into account the scale of development proposed and the resultant urbanising effect, the proposed development would have a significant effect upon the landscape character of this part of the National Park, contrary to Local plan policies ST1, ST2 and DM11 and the NPPF.

Ecology

- 5.34 Local plan policy ST2 is supportive of proposals where opportunities are taken to ‘*enhance local wildlife and biodiversity, including providing net gain, that are proportionate to the development proposed*’. Local Plan policy DM10 states that the conservation and enhancement of wildlife, habitats, and sites of geological interest within Northumberland National Park will be given great weight. It also confirms that all development should ‘*provide a net gain in biodiversity where possible*’.
- 5.35 Although the proposals are not located within an area with a statutory or non-statutory designation for nature conservation, the site does contain areas of semi-natural habitat with the application supported by a Preliminary Ecological Appraisal (PEA). In addition, the residents of the neighbouring property have provided comments suggesting that the site is used by a range of protected and otherwise important species, including hedgehogs, lizards, Barn owls and bats.
- 5.36 Having considered the documents submitted the Authority’s Ecologist is satisfied that no protected sites or priority habitats are likely to be affected by the proposals. The Ecologist has however noted that the habitat on site is suitable for adder, slow worm and lizards which are protected under the Wildlife and Countryside Act (1981) and under section 41 of the NERC Act (2006) and precautions should be made not to injure or kill the species and make provision for them on the developed site. The Ecologist has advised that a Construction and Environmental Management Plan (CEMP) should be submitted and agreed with measures to include avoiding habitat and vegetation clearance during the hibernation period. The Ecologist has advised that a further CEMP should be submitted for hedgehogs which are also listed under section 41 of the NERC Act.
- 5.37 The Ecologist noted the possibility of great crested newts being present on site has been dismissed although the site is within 500m of a waterbody and is included in an amber great crested newt risk zone for the district licence scheme. It is however noted that there is a lot of other suitable terrestrial habitat between the waterbody and the site with no waterbodies on the application site itself. However, since there is some wet grassland, it is possible that any locally present amphibians may use the site at some time. The Ecologist has suggested that working methodologies should be submitted to prevent harm and to leave some suitable habitat for amphibians on site.
- 5.38 The Ecologist notes there is no mention or discussion of biodiversity net gain (BNG) despite the loss of approximately 0.2 hectares of wet and ruderal grassland. The Ecologist has advised that the omission of BGN needs to be addressed and has suggested that the provision of BNG could be based on the small site metric as this was designed for (amongst others) residential developments where the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare. The provision of

BNG should be over and above any measures to mitigate impacts on reptiles, amphibians, and hedgehogs (see above). The Ecologist has noted that the appraisal mentions bat and bird boxes on the new buildings and has advised that this may go some way towards the BNG requirement if they are permanent features incorporated into the design of the buildings.

- 5.39 In summary, the Ecologist has raised no objection subject to conditions. On this basis, had the principle of development been considered acceptable, appropriate conditions would have been attached to the approval, requiring full details of the required CEMP's and Biodiversity Net Gain measures to be delivered on site to be provided at the Reserved Matters stage.

Tranquillity

- 5.40 Local Plan policy DM11 requires amongst others that *'The level of noise, traffic and light generated as a result of the development during construction and thereafter is minimised and dark night skies maintained'* and *'All development proposals should avoid external lighting where possible. Where external lighting is necessary its design should avoid all unacceptable adverse impacts, or as a last resort mitigate them to...avoid adverse impacts on tranquillity, dark skies.'*
- 5.41 The proposal is for the provision of two detached principal residence houses. As the application is in outline, only indicative details have been provided in relation to layout / design etc. However, given the scale of the development and the location close to existing tourism facilities (the Roman Army Museum and Walltown Country Park) which already attract numbers of visitors, it is considered that the proposals are not likely to result in any material harm to the tranquility of the area through noise or traffic generation when considered against the existing baseline.
- 5.42 The site is however located in the Northumberland International Dark Sky Park where the use of inappropriate external lighting could negatively impact the intrinsically dark skies of the area. As such, had the principle of the development been considered acceptable, a condition would have been attached to the approval requiring details of any external lighting required in connection with the development to be submitted for approval prior to installation on site. While objections have been received on the grounds that the proposals will have a detrimental impact on dark skies, officers are satisfied that the imposition of a suitably worded condition would be sufficient to ensure that unacceptable impacts would be avoided.

Cultural heritage

- 5.43 Local Plan policy DM14 states that development affecting the built heritage of the National Park should *'reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction'* and *'High standards of design will be promoted to conserve and enhance the built heritage'*. Part 5) of DM14 states that *'Development proposals that unacceptably harm the setting of the Frontiers of the Roman Empire: Hadrian's Wall World Heritage Site (WHS) will not be permitted'*. Policy DM15 states that *'Development that would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted.'*

- 5.44 National planning policy (Paragraph 194 of the NPPF) states that *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'*. Paragraphs 199 - 202 of the NPPF highlights the need for LPAs to give great weight to the conservation of heritage assets irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 5.45 The site is located entirely within the Frontiers of the Roman Empire World Heritage Site (Hadrian's Wall) with the southern boundary of the site bordering against scheduled monument 1010956, the section of Stanegate Roman road from Fell End Roman temporary camp to the track to Old Shield, and the Roman cemetery adjacent to Carvoran Roman Fort. It is also less than 50m to the east of scheduled monument 1010991 Carvoran Roman Fort and Hadrian's Wall and vallum between the unclassified road to Old Shield and the field boundary west of the fort in wall miles 45 and 46. The site lies 100m to the south of the projected line of the Vallum through Walltown and 160m south of the projected line of Hadrian's Wall between Turret 45a and Milecastle 46.
- 5.46 The application has been supported by a Heritage Statement and the NNPA Historic Environment Officer and Historic England have been consulted on the proposals. Having considered the information provided Historic England noted that the application site lies adjacent to the Roman fort and civilian settlement at Carvoran, a key installation on Hadrian's Wall. As a consequence of this proximity, this proposed development lies in an area of very high sensitivity. This derives not only from the potential for the presence of archaeological remains, but also because of the role that the area surrounding the archaeological remains plays in allowing an understanding and appreciation of the Roman frontier. With reference to potential direct archaeological impacts, Historic England advised that the applicant would need to commission a programme of pre-determination archaeological evaluation of the site to enable direct impacts on archaeology to be fully understood. Historic England considered this necessary to allow them to provide an informed response, and ultimately allow an appropriately-balanced planning decision.
- 5.47 An archaeological evaluation has now been submitted which suggests that the site has a low potential for the presence of important archaeological remains. After consultation Historic England advise they do not consider the potential for direct archaeological impact from the development to be a reason to oppose the granting of permission for the proposed development.
- 5.48 With reference to impacts on setting, while Historic England consider it likely that some form of development could likely be accommodated on this site without harm to the setting of the adjacent monuments and World Heritage Site, due to the outline nature of the application, they feel it is difficult to be certain that this would be the case. While Historic England favoured the submission of a full application with full details of the proposed dwellings provided, they would, as a next best option, support the use of a parameter and/or design-code based approach.

- 5.49 In addition to the comments from Historic England, the NNPA Historic Environment Officer also commented, noting that the site lies within an area of high archaeological significance. The Officer has noted that the site appears to have been undeveloped prior to the 1890s where OS historic maps show an enclosure adjacent to “Craig Cottages” with it unclear to what extent the use of this allotment precludes the survival of significant archaeological remains in a highly sensitive area. As such, the Officer has advised that further information is required in order to be able to determine the planning application. This is in line with the NPPF, Section 16, paragraph 194 “*Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*”.
- 5.50 The NNPA Historic Environment Officer has also considered the archaeological evaluation report submitted. He supports the advice given by Historic England. Whilst the site falls within an area of extremely high archaeological and historic landscape significance, the field evaluation, failed to identify any archaeological remains and consequently the potential for the development to cause direct harm to significant archaeological deposits is low, thus reducing the likelihood that any significant archaeological remains exist anywhere across the site. Given the size of the evaluated area, however, and the possibility that small, localised archaeological features might survive across the wider site, the requirement for a watching brief should be considered in a detailed planning application.
- 5.51 There remains a lack of clarity on the potential for indirect harm to the setting of the Frontiers of the Roman Empire World Heritage Site resulting from the development. Whilst there are no grounds for objecting to the development in principle on the grounds of archaeological features on site, careful consideration should be given to the level of such harm to the setting, in line with paragraph 200 of the National Planning Policy Framework and also Policy DM14 (5) of the Local Plan. There should be clear and convincing justification for the development in the context of the setting of a World Heritage Site. Officers do not consider such a clear and convincing justification for the proposed houses has been provided in these circumstances.
- 5.52 In summary, the lack of significant archaeological features in the excavated trenches shows the development of the site would not cause direct harm to significant archaeological deposits. However, the impact of the proposal on the setting of the World Heritage Site is not clear and no clear and convincing justification has been provided, as required by para 200 of the NPPF. In these circumstances it is considered the lack of detail would form a further reason for refusal.

Highways

- 5.53 Strategic local plan policy ST2 is supportive of proposals which ‘*ensures the proportionate creation of an accessible, safe and secure environment for all potential users with appropriate cycling facilities and car parking provision and without compromising highway safety, the local road network or public rights of way*’. Policy DM9 seeks to “*minimise the overall need for journeys whilst seeking to maximise the proportion of journeys made by public transport, bicycle and walking.*” While the application is in outline with all matters reserved, the indicative plans show access to both properties being from the unclassified road located to the immediate north. The plans also show each property having a double

garage with hardstanding providing potential off-street parking for additional vehicles. NCC Highways Authority have been consulted on the proposals.

- 5.54 As noted in relation to the principle of development, the Highways Authority have issued a fundamental objection to the proposals on the grounds that the application is in an unsustainable location which will promote the use of private vehicles for most journeys. Highways also have significant concerns that the lack of infrastructure for pedestrians, i.e. footpaths allowing access away from the carriageway, will place pedestrians in a potential position of harm.
- 5.55 Notwithstanding their outright objection to the principle of the development, the Highways Authority have also looked at the detail of the proposals including a speed survey that was commissioned. They confirm that the principle of the creation of an access in this location is technically acceptable, with the first 6m required to be hard surfaced and needs to accord with access specifications. It is noted that the westbound splay crosses through a tree and dense vegetation, which means that further details would be required. Had the principle of development had been acceptable, then much of the information (refuse service arrangements, details of EV charging points) could be resolved through suitably worded conditions.

Contaminated land

- 5.56 Strategic local plan policy ST2 part m) states that development will be permitted where *'The proposal will not give rise to unacceptable risks from contaminated or unstable land'*. The proposals relate to the provision of two new dwellings. As dwellings are considered to be a 'sensitive end use' the application has been supported by a contaminated land Screening Assessment Form. The Screening Assessment concludes that it is not considered likely that there would be any contamination on site.
- 5.57 While the screening assessment does not identify any potential sources of contamination, NCC Environmental Protection have considered the information provided and raise no objections. They did however note that the application site lies within the Coal Authority's Coal Mining Reporting Area where there is the requirement for the provision of ground gas protection measures for all development within this area. They therefore recommend the imposition of a number of conditions relating to i) any contamination discovered once works commence and ii) the provision, verification and validation of appropriate ground gas protection measures. Had the principle of the development been acceptable, it is considered that the imposition of the conditions requested by Environmental Protection would have been sufficient to ensure that the proposals were acceptable in relation to contaminated land / ground gas.

Foul drainage and water supply

- 5.58 Planning Practice Guidance on *'Water supply, wastewater and water quality'* states that *'When drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works.'* The PPG goes on to say that *'Where a connection to a public sewage treatment plant is not feasible (in terms of cost and/or practicality) a package sewage treatment plant can be considered'*.
- 5.59 In this instance, rather than discharging to a public sewer, the intention is to discharge to a new Package Treatment Plant (PTP). As there is no public sewer in the vicinity of the

application site; the supporting information states that the nearest connection would be at a distance of approximately 1.5km; the principle of connecting to a PTP is considered acceptable. The information submitted does not provide specific details of the model of PT to be used. Had the principle of development been considered acceptable, then a condition would have been attached to the approval requiring the full specification of the proposed Package Treatment Plant and percolation test results to be submitted at the Reserved Matters stage to demonstrate that foul drainage on site could be adequately managed.

- 5.60 As part of the consultation process, the neighbour at Walltown Lodge have advised that their septic tank with soakaway is sited within the area where the proposed buildings would be built. Plans with the 1988 permission confirm the position. It is further asserted that there is a legal right for the tank to be situated on the application site and that they have a legal right of access to maintain the tank, protected by a legal conveyance. Whilst it is understandable that the neighbours wish to ensure that their septic tank is not affected by the proposed development, this would be a private matter between the residents of Walltown Lodge and the applicant and cannot be given any weight in the determination of the application.
- 5.61 Part k) of Local Plan policy ST2 is supportive of development where it '*ensures the provision of appropriate and proportionate services...*'. The Foul Drainage Assessment submitted indicates that water to serve the property would be from a spring. However, the residents of both Carvoran and Walltown, the nearest neighbouring properties, have both asserted that there is no longer a reliable supply of spring fed water in the area with both properties having had to invest in boreholes. Concerns have been raised that the provision of an additional two dwellings would put further pressure on the water resource in the area. The applicant has however argued that the volume of water required to serve two new dwellings would be minimal compared to that from existing uses in the area i.e. the Roman Army Museum, Walltown Country Park and the adjacent residence and tourist accommodation at Walltown Lodge.
- 5.62 When querying the concerns raised by neighbours with NCC Environmental Protection, they requested an informative to be added requiring all new and existing private water supplies to be risk assessed and monitored. Had the proposal been acceptable in principle then an informative relating to water supplies would have been added.

Other issues - renewables

- 5.63 Strategic policy ST2 requires sustainable design and construction techniques are incorporated in the proposal and should use energy from renewable sources. No details of any specific renewable energy have been identified in the design and access statement, apart from the statement that the new dwellings will meet or exceed the current Building Regulations in relation to energy performance of buildings. This matter could be the subject of a suitably worded condition to ensure that sustainability measures are incorporated early into the design of the proposed houses.
- 5.64 Many of the letters of support suggest permission should be granted as the houses can be built in an eco-friendly way. It is not unusual for new housing to be built in a sustainable manner and the policy requires this. Therefore an eco-friendly house would not be a reason to go against established planning policy and it would not outweigh the fact that they are proposed in an unsustainable location.

6. Conclusion

- 6.1 The site is an undeveloped greenfield area in the open countryside. Whilst the agent suggests that the site is previously developed, there is no evidence of development on site. The location does not meet with the adopted spatial strategy for the location of new housing development, which should be focused within the named settlements. The arguments put forward by the agent in relation to busy tourist destinations in close proximity does not outweigh the policy presumption against new housing in an unsustainable location. The self-build aspect of the proposal would not be a reason to go against established spatial policy, as this is not unique as is the type of new build housing developed within the National Park. No other policies reasons have been put forward that would outweigh the policy presumption against new housing in the open countryside.
- 6.2 This proposal has resulted in a significant amount of public interest. A large amount of support for the scheme has been received from local businesses in Greenhead and Haltwhistle, however again this would not be a reason to go against established strategic local planning policy. The benefits to these local businesses would still arise if the new housing were to be located within a named settlement or in Greenhead and Haltwhistle.
- 6.3 There are very few neighbours in this open countryside location. However, objections have been received from those adjacent and close by. A considerable number of objections have also been received from non-residents who appreciate the open countryside and locational setting near to Hadrian's Wall.
- 6.4 For the reasons detailed above, officers consider that the principle of the development is not acceptable. The applicant has failed to demonstrate an essential need for the siting of two new principal residence housing in this unsustainable location. As a result of this, the proposal would conflict with the Authority's spatial strategy, fail to constitute sustainable development and would conflict with the requirements of Strategic policies ST1, ST4 and ST5 and policy DM9 of the Northumberland Local Plan.
- 6.5 As assessed above, it is considered that the scale and location of the proposed dwellings would cause undue harm to the landscape character and setting of the site and wider area by virtue of the scale and urbanising effect on the landscape character of the National Park. The lack of detail, with no clear and convincing justification has been put forward for permanent two, two storey development in the setting of Hadrian's Wall World Heritage Site, contrary to paragraph 200 of the NPPF, also raises concerns with the proposal and forms a further reason for refusal.
- 6.6 As outlined in the report this is an outline application and there also remain a number of matters would have been acceptable if further detail was provided. If the proposal had been acceptable in principle the following matters could have been dealt with through suitably worded conditions, some of which would be required prior to commencement of development. These include details of design, materials, renewable energies and sustainable construction techniques; external lighting, biodiversity net gain and biodiversity mitigation methods, a detailed landscaping scheme, detailed highways requirements including access, car parking details and cycle stores. Details of the location and specification of the package treatment plant would also be required.

7. Recommendation

7.1 That members **refuse** permission for the following reasons:

1. The site is located in an unsustainable location, physically detached from nearby or named settlements and any potential occupiers would be heavily reliant on the use of a private motor vehicle to allow for day to day living. The proposal fails to accord with the Authority's spatial strategy, which requires new housing development to be sited within named settlements. The proposal would not constitute sustainable development contrary to National Planning Policy Framework (NPPF) and Northumberland National Park Local Plan policies ST1, ST4 and ST5 and policy DM9.
2. Taking into account the indicative scale of two substantial dwellings in this sensitive landscape, the proposed development would result in harm to the open landscape character of this part of the National Park, in particular resulting in an urbanising effect, contrary to Local Plan policies ST1, ST2 and DM11 and the NPPF.
3. Insufficient detail has been submitted to enable the Authority to assess the potential setting impact of the proposal on the Hadrian's Wall World Heritage Site. In the absence of sufficient detail and with no clear and convincing justification having been provided, the Authority cannot determine there would not be harm to designated heritage assets, contrary to Local Plan policy DM14 and paragraph 200 of the National Planning Policy Framework.

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Background papers: 22NP0056 and EIA Screening opinion