

TOWN AND COUNTRY PLANNING ACT 1990
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010**

Applicant :

Lilburn Estates Farming Partnership
Estate Office
North Middleton House
Wooler
Northumberland
NE71 6QY

Under the above Act, Northumberland National Park Authority hereby grants planning permission for:

Construction of 10 no. sunken grouse butts at on land above Hawsden Burn, Langleeford House, Wooler, Northumberland, NE71 6RG.

as described in application reference **15NP0048** and in the plans and drawings attached to it, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission and to comply with Section 91 (as amended) of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Application form, dated 11th June 2015
Location and Site Plan (as amended) dated 27th July 2015
Method Statement, dated 12th June 2015
Additional information, received by email, dated 16th June 2015
Additional information, received by email, dated 27th July 2015

Reason: For the avoidance of doubt and to ensure that the development accords with Policies 1, 3, 5, 12, 15, 17, 18, 19 and 20 of the NNPA Core Strategy and the National Planning Policy Framework.

3. As detailed within the Method Statement submitted (dated 12th June 2015), prior to the first use of the grouse butts hereby permitted, the existing grouse butts shown in blue on the location and site plan (dated 27th July 2015) shall be removed from the site.

Reason: In order to ensure that the proposed development does not impact detrimentally upon the landscape character and tranquillity of the National Park, in accordance with Policies 3, 19 and 20 of the Core Strategy.

Informative Notes :

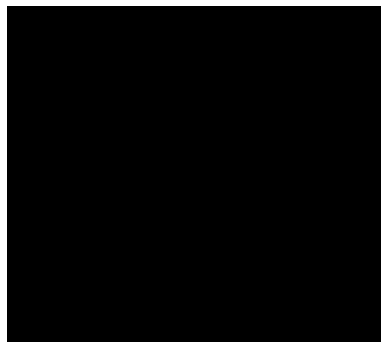
1. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of development, irrespective of the degree of variation, will constitute unauthorized development and may be liable to enforcement action.
 - (b) You or your agent or any other person responsible for implementing this permission should inform the Northumberland National Park Authority's Development Management team immediately of any variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.
2. This Planning Application is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. If there is a condition that requires work to be approved prior to the commencement this is called a 'condition precedent'. The following should be noted with regards to conditions precedent:
 - (a) if a condition precedent is not complied with, the whole of the development will be unauthorized and you may be liable to enforcement action.
 - (b) In addition if a condition precedent is breached, the development is unauthorized and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.
3. The proposed track runs in close proximity to the route of public footpath 14 in Earle Parish. This Public Right of Way should be protected throughout and following construction. The planned works must have no effect on accessing these routes. No action should be undertaken to disturb the surface of the paths, obstruct the paths or in any way prevent or deter public use of the paths without the necessary legal diversion or closure order having been made.

4. As outlined within the Method Statement submitted (dated 12th June 2015), prior to the commencement of any works undertaken during bird breeding season, the area should first be checked for ground nesting birds.

Positive and Proactive Planning Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against the relevant policies in the National Planning Policy Framework and the Northumberland National Park Core Strategy and Development Policies Document. As a result, the Local Planning Authority has been able to grant permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Dated this: **4 August 2015**



National Park Officer

Please note that this is not approval of plans under the Building Regulations. Also, this Planning Permission does not convey any approvals required under any other legislation, or override property rights held by other parties. Your attention is drawn to the notes attached. Failure to discharge planning conditions may result in the development not being authorised and subject to legal challenge.

NOTES

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he or she may by notice served within six months of the date of this notice, appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990. Notice of Appeal may be submitted electronically via www.planningportal.gov.uk/pcs or on the Planning Appeal Form which may be obtained from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not, however, required to entertain such an appeal if it appears to them that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he or she may serve on the Council within the boundaries of which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- (3) In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
- (4) Please note that only the applicant has the right to appeal. Third parties have no right to appeal against a planning decision.