



Reference No. 13NP0089LBC

**PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) ACT 1990**

**Agent :**

Kevin Doonan Architect Ltd  
16 Hallstile Bank  
Hexham  
Northumberland  
NE46 3PQ

**Applicant :**

Mr & Mrs Murray  
The Old Rectory  
Falstone  
Hexham  
Northumberland  
NE48 1AE

Under the above Act, Northumberland National Park Authority hereby grants Listed Building Consent for:

**Listed Building Consent in respect of refurbishment of the kitchen, toilet, bathrooms, and attic, including installation of a new wood fired boiler and radiators, installation of insulation, installation of solar panels, a new window, re-installing shutters, repair of broken kitchen window lintel, removal of external drainage pipes, re-pointing, installation of chimney pot covers and associated works at The Old Rectory, Falstone, Hexham, Northumberland, NE48 1AE.**

as described in application reference **13NP0089LBC** 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
- Application Form received on 23rd September 2013
  - Heritage Statement Draft received on 23rd September 2013
  - Location Plan 1:2500 received on 23rd September 2013
  - Existing Floor Plans (**970 - E1**) received on 23rd September 2013
  - Existing Floor Plans (**970 - E2**) received on 23rd September 2013
  - Existing Elevations (**970 - E3**) received on 23rd September 2013
  - Existing Elevations (**970 - E4**) received on 23rd September 2013
  - Proposed Floor Plans (**970 - P1**) received on 23rd September 2013
  - Proposed Floor Plans (**970 - P2**) received on 23rd September 2013
  - Proposed Elevations (**970 - P3**) received on 23rd September 2013
  - Proposed Elevations (**970 - P4**) received on 23rd September 2013
  - Notes (**970 - P5**) received on 25th September 2013

Reason: For the avoidance of doubt, to enable Northumberland National Park Authority to adequately control the development and to conform with Policies 1, 2, 3, 17 and 18 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

3. Prior to the commencement of development, samples of dressed stone for the kitchen window and a sample of mortar for use on the building shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the character and significance of the listed building is not adversely affected and for the development to accord with Policies 1, 3 and 18 of the Northumberland National Park Authority Core Strategy & Development Policies Document.

4. Prior to the installation of the solar panels, a sample of the panels, or full detailed design and specification of the panels shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the character and significance of the listed building is not adversely affected and for the development to accord with Policies 1, 3 and 18 of the Northumberland National Park Authority Core Strategy & Development Policies Document.



5. None of the pointing works or roof repair works hereby approved shall take place during bat hibernation season (November to March inclusive) unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the character and significance of the listed building is not adversely affected in for the development to accord with Policies 1, 3 and 17 of the Northumberland National Park Authority Core Strategy & Development Policies Document.

### Informative Notes

1. This listed building consent is granted in strict accordance with the approved plans. It should be noted however that:
  - (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
  - (b) You or your agent or any other person responsible for implementing this consent should inform Northumberland National Park's planning authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.
  
2. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
  - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
  - (b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

3. Should any bats be encountered during the course of the implementation of the works hereby approved, work should cease immediately and contact should be made with a qualified ecological professional to seek advice.
  
4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)



### **Positive and Proactive Planning Statement**

The Local Planning Authority has acted positively and proactively in determining this application by engaging in constructive pre-application discussions with the applicant, assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Dated this: **8 November 2013**

**National Park Officer**

**NOTE: Failure to adhere to any details shown on the plans forming part of the application for which permission is hereby granted and/or failure to comply with any conditions attached to this permission may constitute a contravention of the provisions of the Planning (Listed Buildings & Conservation Areas) Act 1990 in respect of which enforcement action might be taken. Your attention is drawn to the notes attached. Failure to discharge any outstanding conditions means that this Listed Building Consent has not been implemented and any works are unauthorised.**

## 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](http://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.