



Reference No. 15NP0078

TOWN AND COUNTRY PLANNING ACT 1990

**TOWN AND COUNTRY PLANNING ( DEVELOPMENT MANAGEMENT PROCEDURE )  
( ENGLAND ) ORDER 2015**

**Agent :**

Dobsons Design  
The Crossing  
Yeavinger  
Kirknewton  
Wooler  
Northumberland  
NE71 6HG

**Applicant :**

Thompson Walls Ltd  
Thompson Walls  
Kilham  
Mindrum  
Northumberland  
TD12 4QT

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

**Construction of new farmhouse, walled garden and plant room/garden building, demolition of existing cottages and conversion of 'threshing barn' situated within steading buildings to form 2no. holiday/tourism units with parking and a farm office. at Thompson Walls, Kilham, Mindrum, Northumberland, TD12 4QT.**

as described in application reference **15NP0078** 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 carried out in accordance with the following approved plans, documents and correspondence:

- Application Form received on 15/09/15
- Location Plan 15/450/01 received on 12/11/15
- Site Plan 15/450/02 received on 12/11/15
- Survey Data 15/450/03 received on 15/09/15
- Compound Storage, Vehicle Parking, Temporary Access 15/450/04 received on 15/09/15
- Elevations and Cross Sections 15/450/05 received on 12/11/15

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- Non-mains drainage system 15/450/06 received on 15/09/15
- Access details 15/450/07 received on 15/09/15
- Farmhouse Ground Floor Layout 15/450/08 received on 15/09/15
- Farmhouse First Floor Layout 15/450/09 received on 15/09/15
- Farmhouse Roof Plan 15/450/10 received on 15/09/15
- South/North Elevations 15/450/11 received on 15/09/15
- West/East Elevations 15/450/12 received on 15/09/15
- Sections 15/450/13 received on 15/09/15
- Foundation Details 15/450/14 received on 15/09/15
- Garden / Plant Room Elevations / Plans 15/450/15 received on 15/09/15
- Proposed Floor Plan Layout 15/450/17 received on 15/09/15
- Proposed Elevations/Sections 15/450/18 received on 15/09/15
- Greenheat Renewables Letter dated 3rd September 2015 received on 15/09/15
- All About Trees, 31st August 2010, as updated by BSG Ecology Letter dated 1st September 2015, received on 15/9/15
- Design, Access & Justification Statement received on 15/09/15
- Sustainability, Design and Access Statement received on 15/09/15

**Reason:** For the avoidance of doubt, to enable the Local Planning Authority to adequately manage the development and to ensure the proposal accords with Policies 1, 2, 3, 5, 7, 9, 10, 12, 14, 15, 17, 18, 19, 20, 21, 25 and 27 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).

3. The holiday lets hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators shall maintain an up-to-date register of the names of all occupiers of the holiday let hereby approved and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

**Reason:** To prevent a permanent and unrestricted residential use in a location where this would not otherwise be in accordance with adopted planning policies, namely Core Strategy policies 7 and 10.

4. The existing cottages shall be demolished in their entirety within 6 months of the proposed dwelling hereby approved being first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the development hereby permitted does not create a separate dwelling unit in a manner that would fail to accord with Core Strategy Policies 5 and 10.



5. Prior to the commencement of the construction of the dwelling hereby approved, samples and the details of provenance of the random stone proposed in the exterior of the building, the stone to be used for the quoins, cills and other details and the slate to be used in the exterior of the roof shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

**Reason:** In order to preserve and enhance the visual appearance of the area and the wider landscape character, in accordance with Core Strategy policies 1, 3 and 20 and the NPPF.

6. Prior to the commencement of the construction of the boundary wall hereby approved, samples and the details of provenance of the stone to be used in the construction of the wall shall be submitted to and approved in writing Samples boundary wall & outbuilding associated with proposed dwelling by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

**Reason:** In order to preserve and enhance the visual appearance of the area and the wider landscape character, in accordance with Core Strategy policies 1, 3 and 20 and the NPPF.

7. The stone and slate to be used in the conversion of the buildings to holiday lets shall suitably match the stone and slate used on the exterior of the existing threshing barn, to the satisfaction of the Local Planning Authority.

**Reason:** In order to preserve and enhance the visual appearance of the area and the wider landscape character, in accordance with Core Strategy policies 1, 3 and 20 and the NPPF.

8. Prior to the fixing of any external lighting associated with the development, details of the external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Details should include:

- The specific location of all external lighting units;
- Design of all lighting units;
- Details of beam orientation and lux levels; and
- Any proposed measures such as motion sensors and timers that will be used on lighting units.

The approved lighting scheme shall be installed in accordance with the approved details and shall be maintained as such during the operation of the development, unless removed.

**Reason:** In order to ensure that there is no harmful impact upon the tranquility and intrinsically dark character of the National Park through



excessive light pollution, in accordance with Policies 1 and 19 of the Core Strategy and paragraph 125 of the NPPF.

9. The development shall be carried out in full accordance with the mitigation set out in Part 2 of the 'All About Trees, 31st August 2010' ecological report. Particular attention is drawn to the need to carry out works that could affect bats in either late September – October or late March – April, to avoid bat hibernation and maternity periods.

**Reason:** In order to afford adequate protection to any bats that may be present, in accordance with Core Strategy policies 1 and 17, the NPPF and the Provisions of the Habitats Regulations 2010.

10. Bat roost access shall be provided in accordance with the roost access shown on the following plans:

- Proposed Floor Plan Layout 15/450/17 received on 15/09/15
- Proposed Elevations/Sections 15/450/18 received on 15/09/15

**Reason:** In order to afford adequate protection to any bats that may be present, in accordance with Core Strategy policies 1 and 17, the NPPF and the Provisions of the Habitats Regulations 2010.

11. Prior to commencement of the development hereby approved, provision shall be made off the highway for a temporary storage area within the site. The storage area must be sufficient to accommodate the storage of materials during the development of the site without obstructing the adjoining highway. Within three months of the completion of the development, the land shall be restored to its original condition, or in accordance with the details approved as part of this application.

**Reason:** To avoid obstruction of the adjoining highway and Public Right of Way in accordance with Core Strategy policies 3 and 12.

12. The vehicular accesses from the site to the county road U1017 shall be modified/constructed in accordance with Type 'A' of the Northumberland County Council standard specifications (copy enclosed), defined by granite or whinstone setts, or as otherwise agreed in writing with the Local Planning Authority. The development hereby permitted shall not be brought into use until the said accesses have been so completed.

**Reason:** To achieve access to and from the site in a manner which does not cause danger and inconvenience to other road users, in accordance with Core Strategy Policy 3.

13. The renewable energy measures specified in the Greenheat Renewables Letter dated 3rd September 2015, received on 15/09/15, shall be



implemented in full, prior to the first occupation of the approved development and retained thereafter for the lifetime of the biomass boiler, unless otherwise agreed in writing with the local planning authority.

**Reason:** In order to ensure that the development incorporates adequate renewable energy technologies and energy efficiency measures to accord with Core Strategy Policy 25 and NPPF paragraph 96.

**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 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 permission should inform the Local Planning Authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning 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. Kilham footpath 5 runs for a distance of 1,800 metres from Longknowe in the north-east, following the access road though Thompsons Walls before heading south-



west to terminate at the property at Elsdonburn Shank. This footpath also co-exists with the U1017 minor road from Kilham to Elsdonburn Shank. This Public Right of Way and Public Highway must be protected throughout the implementation of the proposed development and the works must have no effect on accessing these routes. No action should be undertaken to disturb the surface of the path, obstruct the path or in any way prevent or deter public use of the path without the necessary legal diversion or closure order having been made.

4. Should any bats, or evidence of bats, be found prior to or during the development, all works must stop immediately and a suitably qualified ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant qualified ecological consultant.
5. Your attention is drawn to the need to obtain a Natural England European Protected Species development licence before redevelopment of the threshing barn can commence. Natural England can be contacted on 0300 060 3900 or [www.naturalengland.org.uk](http://www.naturalengland.org.uk).
6. The Highway Authority requests that you return the enclosed form 'ACC' to Northumberland County Council relating to access works on the public highway.

### **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: **24 November 2015**

**National Park Officer**

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**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](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.