



Reference No. 17NP0073

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Mr Iain Dunn
IRD Design Ltd
New Harbour Building
Gusgreen Quay
Eyemouth
TD14 5SD

Applicant :

B & R Brown
Overacres
Coldmartin
Wooler
Northumberland
NE71 6QN

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

Proposed conversion of storage building into Bunkhouse and holiday let dwelling house at Ilderton Dod, Track to Ilderton Dod and Threestone Burn, Ilderton, NE66 4JL

as described in application reference **17NP0073** 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, as required by Section 91 of the Town and Country Planning Act 1990 (as amended by 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, documents and correspondence:
 - Application form received on 28th June 2017
 - 'ILDERTON DOD, POWBURN, PROPOSED DEVELOPMENT BAT AND BARN OWL REPORT – SUMMER 2017' received on 28th June 2017
 - 'DESIGN AND ACCESS SUPPORTING STATEMENT' received on 28th June 2017
 - 'ELEVATIONS AND PHOTOS AS PROPOSED' 17/242-004 received on 28th June 2017

APPLICATION REFERENCE NUMBER: 17NP0073



- 'GF & FF PLANS AS PROPOSED' 17/242-003 received on 28th June 2017
- 'SITE LAYOUT PLAN AS PROPOSED' 17/242-005 received on 28th June 2017
- Location Plan 1:1250 received on 28th June 2017
- Land Contamination Assessment form received on 11th July 2017
- Foul Drainage Assessment Form and appended Maps 1 - 3 received on 11th July 2017

Reason: For the avoidance of doubt, to enable the Local Planning Authority to adequately control the development and to conform with Policies 1, 2, 3, 5, 7, 9, 10, 11, 12, 14, 15, 17, 18, 19, 20, 22, 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 development hereby approved shall be carried out in strict accordance with each of the mitigation measures described in Section 2 of the 'ILDERTON DOD, POWBURN, PROPOSED DEVELOPMENT BAT AND BARN OWL REPORT – SUMMER 2017' received on 28th June 2017. Particular attention is drawn to the need to carry out the following:

(Barn owls)

- Relocating the current barn owl box to a neighbouring barn after checking that none are present before works commence;
- Erecting another box on the edge of the plantation at least 30 days before work commences to provide an alternative roost away from disturbance.

(Bats)

- Retention of an existing crevice on the east aspect of the building referred to as Building 2/3;
- Situating any external lighting on timers, and located away from this crevice.

Reason: To ensure the development poses no risk of unacceptable harm to protected species and to ensure the development is in accordance with Core Strategy Policy 17 and Chapter 11 of the NPPF and the Conservation of Habitats and Species Regulations 2010.

4. 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 Northumberland National Park and the Northumberland International Dark Sky Park through excessive light pollution, and to ensure that there is no unacceptable impact on protected species, in accordance with policies 1, 17 and 19 of the Core Strategy and Chapter 11 of the NPPF.

5. The accommodation units hereby approved shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence, or as a second home. The operators shall maintain an up-to-date register of the names of all occupiers of the holiday accommodation hereby approved, and of their main home addresses, and shall make this information available, upon request, at all reasonable times to the local planning authority.

Reason: To ensure that a permanent and unrestricted residential use in an inappropriate open countryside location is not established, where this would not otherwise be in accordance with Core Strategy policies 5, 7 and 9, and because local needs/affordable housing restrictions are not being provided as part of this development, as may otherwise be required for proposals for residential development by Core Strategy policies 10 and 11.

6. If during re-development contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority.

Should contamination not previously discovered is identified during the development, no building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and agreed measures proposed to deal with the contamination have been carried out.

Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.



Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Core Strategy Policy 3 and the NPPF.

7. Prior to the development first being brought into use, a written verification report shall be provided and agreed in writing with the Local Planning Authority, to confirm that there will be a sufficient supply of wholesome water to serve the development. The written verification report shall be based on the average household consumption of 200 litres per person per day. The verification report should include a detailed assessment, prepared by a suitably qualified person (hydrologist), which indicates the suitability of the water supply with regard to quantity and quality of water available and include, if necessary, any methods needed to improve the supply.

Any identified approved improvements to the water supply shall be carried out prior to the occupation of the premises. The development shall be connected to the approved water supply thereafter.

Reason: In the interest of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirement of the development, in accordance with Core Strategy Policy 3 and the NPPF.

8. The rooflights approved as part of this permission shall be of a conservation style and shall be fit to be flush with the surface of the roof.

Reason: To ensure that the development respects the appearance and historic character of the premises, in accordance with Core Strategy policies 1, 3 and 18 and policies in the NPPF, including those detailed in chapters 6 and 12.

9. The doors and window frames to be installed as part of the development shall be painted timber and shall be retained as such thereafter.

Reason: To ensure that the development respects the appearance and historic character of the premises, in accordance with Core Strategy policies 1, 3 and 18 and policies in the NPPF, including those detailed in chapters 6 and 12.

10. Prior to the development first being brought into use, precise details of renewable energy measures for generating energy from decentralised renewable and/or low carbon sources (as defined in Annex 2 of the National



Planning Policy Framework), or justification why it is not feasible or viable to provide these, shall be submitted to, and formally approved in writing by, the Local Planning Authority. The information submitted should establish accurate details of the predicted energy requirements for the development and demonstrate how the proposals will maximise the embedding of renewable and low carbon energy sources within the development. Any approved renewable energy measures shall be implemented in full before the premises are first brought into use.

Reason: To ensure that an appropriate renewable energy and/or low carbon energy measures are included, in line with NNPA Core Strategy policies 1, 2 and 25 and Chapter 10 of the NPPF.

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, may constitute unauthorised development and may be liable to enforcement action.
 - (b) You, 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 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. Some conditions may require work to be carried out, or details to be approved prior to the commencement of the development.

Where pre-commencement conditions are not complied with, the whole of the development could be unauthorised, and you may be liable to enforcement action. In some circumstances, the only way to rectify the situation may be through the submission of a new application. If any other type of condition is breached then you may be liable to a breach of condition notice.

3. The National Park's Historic Environment Officer has recommended that the works should include the production of a photographic record of the building, including its interior, prior to alteration, for in the Historic Environment



Record. A copy of this photographic record should be provided to the local planning authority following its completion.

4. Private water supplies

Northumberland County Council Public Protection would recommend that the applicant contact a member of their Private Water Supplies Team on 01670 623790 with regard to The Private Water Supplies Regulations 2016, which came into force on 27 June 2016. The Regulations require that all private water supplies used in a commercial undertaking or where more than one property is supplied, are subject to inspection (this is known as a risk assessment). The regulations also require the water supply to be subject to routine sampling, the frequency of which will be determined by the classification of the supply. Supplies with a commercial activity [for example B&B, holiday let, Assured Short hold Tenancy (AST) properties] using <10m³ each day would be subject to annual sampling.

A copy of the Private Water Supplies Regulations 2016 can be viewed at:
<http://www.legislation.gov.uk/ukxi/2016/614/contents/made>

The following link contains technical information regarding satisfactory installation and maintenance of private water supplies:
<http://www.privatewatersupplies.gov.uk/privatewater/files/Full%20Doc.pdf>

5. NCC Public Protection – General

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.

In all cases, the Northumberland County Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

6. Public Footpaths

Ilderton public bridleway 10 and public footpath 11 both run to the south of the proposed development site and the Sandstone Way cycle route runs to the north of the Dod, along public bridleway 1. Whilst any construction works are ongoing, care should be taken to not obstruct access to these rights of way in the area, or in any way prevent or deter public use of the paths, without the necessary legal diversion or closure order having been made.



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: **18 August 2017**

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 you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice (subject to the additional provisions below).**
- 2. If this is a decision to refuse planning permission for a householder application or for a minor commercial application or to grant it subject to conditions, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice. This process does not apply to any decision in circumstances where an appeal against the refusal to grant listed building consent is submitted at the same time as an appeal against the refusal to grant planning permission.**
- 3. If this is a decision to refuse advertisement consent or to grant it subject to conditions, if you want to appeal against your Local Planning Authority's decision then you must do so within 8 weeks of the date of this notice.**
- 4. If this decision relates to the same or substantially the same land and development as is or subsequently becomes the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice whichever period expires sooner.**
- 5. Notice of Appeal may be submitted to the Planning Inspectorate electronically via <https://acp.planninginspectorate.gov.uk> or on the Planning Appeal Form which may be obtained from The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000)**
- 6. 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.**



7. **Please note that only the applicant has the right to appeal. Third parties have no right to appeal against a planning decision.**

8. **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 and Sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990).**