



Reference No. 17NP0088

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Affordable Architecture
Border House
Beaufront Park
Anick Road
Hexham
Northumberland
NE46 4TU

Applicant :

Mr N Welton
The Cottage
Falstone
Hexham
Northumberland
NE48 1AA

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

Demolition of existing single storey rear extension. Erection of two storey rear extension. Rebuilding of existing garage to form new two storey garage with fitness room above at The Cottage, Falstone, Hexham, Northumberland, NE48 1AA

as described in application reference **17NP0088** 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 carried out in accordance with the following approved plans and documents:

- Application form, received 10th August 2017
- Location plan (Dwg. No. 121.A.A1.002), received 5th October 2017
- Site plan (Dwg. No. 121.A.A1.001), received 5th October 2017
- Proposed elevations (Dwg. No. 121.A.A4.005), received 5th October 2017
- Proposed plans (Dwg. No. 121.A.A2.002), received 10th August 2017
- Design, Access and Planning Statement (document ref. AR-01), received 10th August 2017

APPLICATION REFERENCE NUMBER: 17NP0088



- *Hadrian Ecology Bat Risk Assessment and Barn Owl Survey – The Cottage, Falstone 21 July 2017, received 24th July 2017*

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, 3, 5, 17, 18, 19, 20 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 the working practices and mitigation requirements set out in the *Hadrian Ecology Bat Risk Assessment and Barn Owl Survey – The Cottage, Falstone 21 July 2017, received 24th July 2017*. In particular, attention is drawn to the need to undertake the development in accordance with the requirements in respect of:

- Timing restrictions;
- Working by hand;
- The installation of 4no. bat access slates

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. Notwithstanding the provisions of the Proposed elevations (Dwg. No. 121.A.A4.005), received 5th October 2017 and Proposed plans (Dwg. No. 121.A.A2.002), received 10th August 2017, prior to the installation of cladding or render to the external walls of the property known as The Cottage, the rear extension or garage building hereby permitted, details and/or samples of the finish(es) to be installed shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To ensure that the materials used in the construction of the development are appropriate within the context of the site and surrounding area and for the development to accord with NNPA Core Strategy policies 1 and 3 and 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 proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:



<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority



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: **1 November 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).**