



DMC2018-002

APPLICATION FOR PLANNING PERMISSION

Application No:

18NP0005

Proposed Development:

Change of use from single dwelling house to dwelling house with first floor self-contained holiday let flat (retrospective) and retention of external staircase. Installation of timber cladding and rendering of property. Creation of balcony area for proposed flat to northern end of property and installation of parapet wall to eastern side with glazed panels to north and west

Applicant Name:

Ms. Mary Parker

Reason for Committee Decision:

An objection has been received from Tasset and Greystead Parish Council, in addition to three letters of objection, contrary to the recommendation that Members approve the application. Members of Development Management Committee also requested that any future application for the proposed development be considered at DMC

Recommendation:

That Members are minded to approve the application subject to the conditions set out in the report

1. Introduction

- 1.1 This application seeks retrospective planning permission for the proposed change of use of a single dwellinghouse known as The Library to create a dwellinghouse with first floor self-contained holiday let and erection of an external staircase to the western side of the building. The application also proposes the installation of timber cladding and render to the external walls of the property and creation of a first floor balcony area with parapet wall and glazed panels.
- 1.2 The application site is situated within the open countryside to the north of the settlement of Greenhaugh, approximately 300m north west of Greenhaugh School. Representations made in objection to the application refer to the group of properties being situated within a hamlet known as West Burnbank; however for the purposes of assessing this application, the site is located within the open countryside.

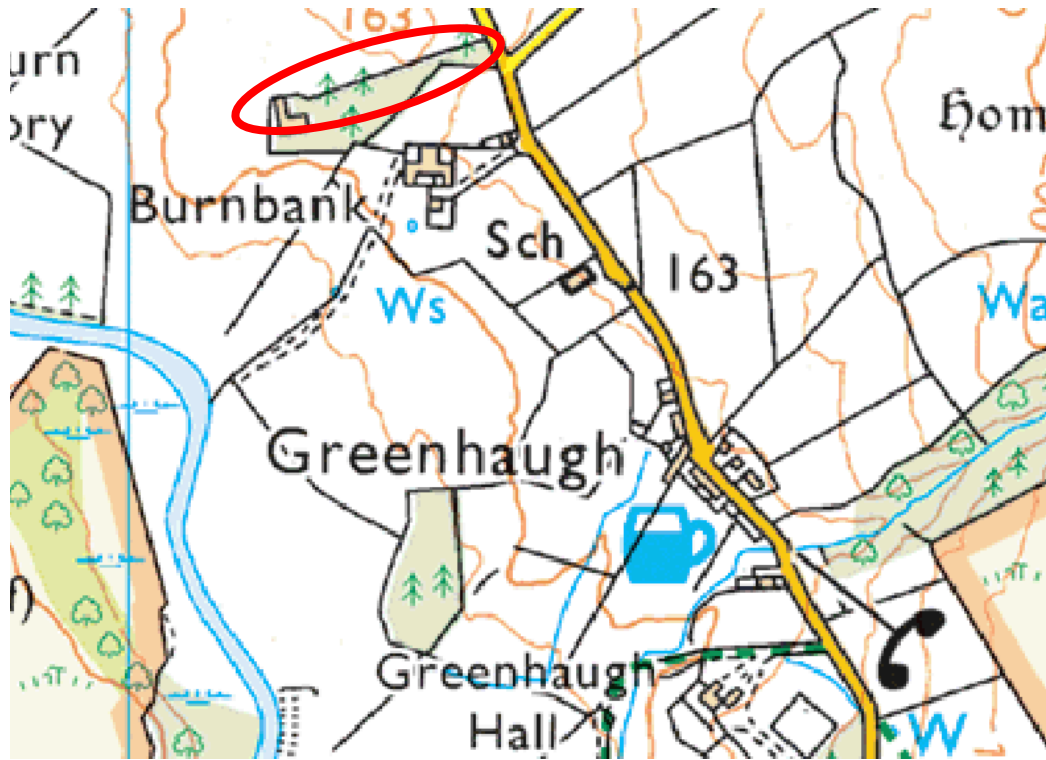


Fig. 1: Approximate location of application site and adjoining property, West Burnbank



Fig. 2: Approximate location of application site relative to surroundings



- 1.3 The Library adjoins the property known as West Burnbank, which together occupy a secluded site set down a private driveway to the north west of Burnbank Farm. The buildings are of two separate styles: West Burnbank being a traditional stone and slate cottage, with The Library having a distinctive modern character, comprising two storeys with a flat roof and an angular north elevation.



Fig. 3: View facing west from driveway towards properties

- 1.4 The Library is understood to have originally formed an extension to West Burnbank, constructed in around 1940, which together formerly comprised 4no. dwelling units, as highlighted by the applicant in a representation received on 20.02.2018 and in the supporting information to application 06NP0071, under which the current properties were formed from a larger dwelling (comprising West Burnbank and the first floor of The Library) and a three bedroom flat (comprising the ground floor of The Library). Anecdotal evidence indicates that The Library has since 2006 operated at one time as two flats; however was subsequently re-consolidated to form a single dwelling unit.
- 1.5 The scheme seeks retrospective planning permission for the creation of a self-contained one bedroom holiday flat within the first floor of the building, comprising one bedroom with freestanding bath, a shower room and an open plan lounge, kitchen and dining area, served by an external staircase and decked landing area to the western elevation. The unit would be served by 1no. of 3no. existing parking spaces associated with the property, as identified on the *Site Block Plan* submitted, and would connect into the existing septic system which serves the site.
- 1.6 The flat benefits from first floor double doors within the northern elevation which at present open out onto a flat roof area above an existing garage. The application proposes the redevelopment of this flat roof to form an 8m x 4.5m balcony area



surrounded by a 1.1m high parapet wall and 1m high glazed panels to the east and north/west respectively.

- 1.7 The external walls of The Library are presently finished in buff coloured render with a large stone chimney to the eastern elevation. The application proposes the installation of larch cladding to parts of the external walls of the property and application of light coloured render, as shown on the plans submitted.



Fig. 4: Extract from proposed plans showing proposed eastern elevation

- 1.8 The application has been amended during its course in respect of the parties served notice under Ownership Certificate B of the application form submitted.

2. Planning Policy & Guidance

2.1 National Policies

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance

2.2 Local Policies

Northumberland National Park Authority Core Strategy and Development Policies Document (Core Strategy) (2009)

Policy 1	<i>Delivering Sustainable Development</i>
Policy 2	<i>Climate Change</i>
Policy 3	<i>General Development Principles</i>
Policy 5	<i>General Location of New Development</i>
Policy 7	<i>Conversion of Buildings outside Settlements</i>
Policy 9	<i>Managing Housing Supply</i>
Policy 10	<i>New Housing Development</i>



Policy 14	<i>A Sustainable Local Economy</i>
Policy 15	<i>Sustainable Tourism & Recreation Development</i>
Policy 17	<i>Biodiversity and Geodiversity</i>
Policy 18	<i>Cultural Heritage</i>
Policy 19	<i>Tranquillity</i>
Policy 20	<i>Landscape Quality and Character</i>
Policy 25	<i>Renewable Energy and Energy Efficiency</i>

2.3 Supplementary Planning Guidance

NNPA Building Design Guide Supplementary Planning Document (Design Guide SPD)

NNPA Landscape Supplementary Planning Document (Landscape SPD)

3. Relevant Planning History

The Library: No relevant planning history

West Burnbank (adjoining property)

06NP0043 Extension to existing dwelling house. *Planning permission refused 05.10.2006*

06NP0071 Extension to existing dwelling house. *Conditional planning permission granted 26.01.2007*

4. Consultation/Representations

4.1 **Tarset and Greystead Parish Council: Objection**, due to a lack of parking provision associated with the application which is near to occupied dwellings

4.2 **NCC Highways: No objections**, subject to the inclusion of conditions relating to the implementation of the car parking area and cycle parking. Whilst concerns are noted regarding parking provisions for the development, the block plan shows 3 spaces with sufficient turning which is considered acceptable in highway terms

4.3 Three neighbour notification letters were issued in association with the application on 23rd January 2018, in addition to a notice displayed at the site entrance on 26th January 2018. **Three letters of objection have been received from properties close to the site**, raising the following matters:

- Notice has been incorrectly served on the adjoining property, West Burnbank;
- West Burnbank is legally and physically limited to two private domestic dwellings;
- Commercial use is not allowed under covenants and is unsuitable here;



- Lack of parking provision; no legal right to park on site; visiting cars have caused damage to driveway and yard;
- Insufficient capacity in existing septic tank, extensive use may damage system;
- Foul Drainage Assessment form incorrectly states that the existing toilet has been in place since the house was built: the property previously comprised one kitchen and bathroom and now contains multiples of both;
- The applicant is already in breach of planning law relating to unlawful use of premises for B&B in association with nearby pub;
- Negative impact resulting from use of premises including parking issues, excessive rubbish and trespassing;
- Inappropriate intensification of use within hamlet;
- Paragraph 3.4 of the Design and Access Statement is incorrect. No information has been provided in respect of the height of the proposed parapet wall or external lighting to be installed

4.4 A representation was received from the applicant on 20th February, responding to the above points at paragraph 4.3.

4.5 Three further representations have been received by email on 26th and 27th February from the same individual (from whom 1 previous letter of objection was received), raising the following additional points:

- A condition is requested requiring that no works be undertaken until it can be demonstrated that adequate, legal, off-road parking can be achieved;
- A condition is requested requiring that no works be undertaken until land ownership issues are resolved;
- The block plan and February's DMC report do not make clear that the driveway and yard, excluding maintenance strip, do not fall within the ownership of the applicant;
- The applicant only owns the right to park 2no. cars;
- The application creates a new dwelling within the open countryside with no legal car parking, contrary to national standards which require 2 car parking spaces per dwelling;
- What is to stop this dwelling being sold in the future on a separate title with no legal right to park?
- The applicant has recently installed a number of new external lighting units to the property in contravention of NNPA's Dark Skies policy;
- The information submitted regarding the foul drainage system is incorrect

4.6 A further representation was received from the agent to the application on 28th February in response to the above additional points at paragraph 4.5.



5. Assessment

5.1 Introduction

5.5.1 The key material planning considerations are:

- The principle of the development;
- Design, appearance and impact upon visual amenity;
- Impact upon residential amenity;
- Impact upon National Park special qualities (Tranquillity and Landscape Character);
- Highway safety, parking and access;
- Foul drainage and utilities;
- Energy efficiency and renewable energy provision; and
- Any other matters

5.2 **The principle of the development**

Location of new development

5.2.1 The application site is located within the open countryside north of the settlement of Greenhaugh. The representations received in response to the application state that the site is located within the hamlet of West Burnbank. However as West Burnbank is not classed as either a Local Centre or Smaller Village by Core Strategy policy 5 '*General Location of New Development*' for the purposes of this application the site falls within the open countryside.

5.2.2 Within the open countryside policy 5 limits development to the reuse of existing buildings, with new buildings only permitted where it can be demonstrated that:-

- a) The development cannot take place within an identified Local Centre, Smaller Village or through the reuse of an existing building; and
 - i. It will conserve or enhance the special qualities of the National Park; and
 - ii. It will provide opportunities for the public to understand and enjoy the special qualities whilst not negatively impacting upon them; or
- b) It is replacing an existing building and the new building is not materially larger than the building it replaces.

5.2.3 The proposed sub-division of this existing building to create a unit of self-contained holiday accommodation and use of an existing area of flat roof to create a balcony would comprise the re-use of an existing building, and would therefore accord with Core Strategy policy 5 in principle. The retention of the external staircase to the western side of the building, proposed addition of timber cladding and render and



creation of an enclosure surrounding the balcony would not conflict with the aims and objectives of policy 5 and are therefore considered to be acceptable in principle.

- 5.2.4 The proposed development relates to the provision of tourist/holiday accommodation only. It is therefore considered appropriate that this planning approval be subject to a condition restricting the occupancy of the accommodation to holiday use only, as permanent residential accommodation in this location would conflict with Core Strategy policies 9 and 10 and would require a Local Needs restriction in accordance with Core Strategy policy 10.

Conversion of buildings within the open countryside

- 5.2.5 Core Strategy policy 7 provides support for the conversion of existing buildings within the open countryside to employment uses (including tourism) where:

- a) The building is capable of conversion;
- b) The building contributes to the special qualities of the National Park; and
- c) The building is of sufficient size to accommodate the proposed use without the need for significant alterations or extensions which would detract from its character and appearance and that of the wider landscape.

- 5.2.6 The proposed conversion of part of the building to form holiday accommodation would accord with Core Strategy policy 7 in principle. The building is considered to be capable of conversion for the purposes of policy 7 part a), forming part of an existing inhabited dwellinghouse. Whilst the building does not directly contribute to the special qualities of the Park, as required by policy 7 part b), the scheme would enhance the overall appearance of The Library through the installation of timber cladding and render, and would not have a detrimental impact upon the special qualities of the National Park. The scheme is therefore considered to be acceptable in terms of policy 7 part b). Whilst alterations are proposed to the building as part of this application, it is considered that these would not detract from its character and appearance, in accordance with Core Strategy policy 7 part c).

Employment/Tourism use

- 5.2.7 National Planning Policy Framework (NPPF) Para. 28 highlights the need for planning policy to support sustainable growth and expansion of business and enterprise in rural areas through both the conversion of existing buildings and well-designed new buildings and sustainable rural tourism developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.



5.2.8 Core Strategy policies 14 and 15 aim to create and retain a sustainable local economy through the provision of support for sustainable tourism and recreation developments which relate to and allow opportunities for visitors to increase their understanding and enjoyment of the special qualities of the National Park without detrimentally impacting upon them, particularly where they integrate with existing visitor facilities or include the conversion of buildings.

5.2.9 The proposed conversion of an existing building to provide visitor accommodation is considered to accord with NPPF Para. 28 and Core Strategy policies 14 and 15 in principle.

5.3 Design, appearance and impact upon visual amenity

5.3.1 NPPF Chapter 7 paragraph 56 states that “*good design is a key aspect of sustainable development and is indivisible from good planning*”, and that development should be responsive to local character and distinctiveness. Core Strategy policy 3 provides support for development proposals that conserve and enhance local character and the Park’s special qualities, further supported by the Northumberland National Park Authority Design Guide Supplementary Planning Document (SPD).

5.3.2 The proposed external alterations, comprising the retention of the external staircase, creation of a balcony area, installation of timber cladding and rendering of the building, would enhance the appearance of The Library and are considered to be sympathetic to the character of the host and adjoining buildings. Conditions are recommended requiring the submission of details of the proposed render colour, larch cladding and type of glazed panels to be used in the construction of the balcony area, in order to ensure that these are appropriate in the context of the site and surrounding area. As the proposed elevation plan also shows dark framed windows being installed within the building (a change from the existing white framed windows), a condition is also recommended requiring details of the colour of any replacement windows to be installed (where proposed), in order to ensure that these are appropriate.

5.3.3 Subject to the inclusion of the conditions recommended above, the proposed scheme is considered to accord with Core Strategy policy 3 and the NPPF.

5.4 Impact upon residential amenity

5.4.1 Consideration must be given to any impacts upon the residential amenity of the adjoining property, West Burnbank, as part of the proposed development. Due to the separation distances and orientation involved, it is not considered that the scheme would detrimentally impact upon the occupiers of either Burnbank Farm or Burnbank



Cottage, located some 150m and 200m to the south east and east of the application site respectively.

- 5.4.2 It is considered that the proposed holiday flat would not have any significant detrimental impact upon the amenity of the adjoining unit (West Burnbank) in terms of any loss of outlook/overbearing impact, disturbance from increased vehicular movements or loss of privacy over and above that of the use of The Library as a single residential dwellinghouse. The retention of the external staircase, whilst incorporating a small first floor landing area, would not result in any overlooking or loss of privacy to the adjoining property due to its location to the western side of the building, shielded by the existing internal stairwell projection. The proposed external alterations (timber cladding and render) would not have any impact upon the amenity of the adjoining unit.
- 5.4.3 The proposed balcony would be located to the northern end of the building, incorporating a 1.1m high solid parapet wall along the eastern edge - the only side from which it is considered that West Burnbank would be visible, to the south east - with the proposed glazed north and western elevations facing towards open countryside. Whilst West Burnbank could be viewed from the eastern side of the balcony at a distance of approximately 20m, it is considered that by virtue of this distance and orientation of the properties, from which it could be reasonably assumed that users would face north or west towards open countryside, that this aspect of the scheme would not result in any significant detrimental impact upon the amenity of this property in terms of loss of privacy or overlooking.

5.5 Impact upon National Park special qualities

- 5.5.1 Impacts upon the National Park's Tranquillity and Landscape Character are to be considered as part of this application for planning permission. No issues surrounding Cultural Heritage or Biodiversity and Geodiversity have been identified as part of this scheme.

Tranquillity

- 5.5.2 Core Strategy policy 19 provides support for development proposals which conserve the tranquillity of Northumberland National Park.
- 5.5.3 The application does not include details of any new external lighting required to be installed as part of the scheme. The applicant has confirmed within comments dated 20th February that no further lighting is planned for the roof balcony. No lighting appeared to be present on the balcony during a site visit by the Case Officer on 26th January, although existing lights were noted at ground floor level.



- 5.5.4 Notwithstanding the applicant's comments, due to the open countryside location of the site, the creation of a new first floor balcony and retention of a first floor landing area which may require outdoor lighting, and concerns raised in objection to the application regarding the potential for new lighting to be installed, a condition is recommended requiring that details of any new external lighting to be installed in conjunction with the proposed development (including any new lighting associated with the balcony and landing area) be submitted to and approved in writing by NNPA prior to installation. This measure would therefore protect the tranquillity and dark skies of the National Park through the future installation of inappropriately designed and positioned external lighting, in accordance with Core Strategy policy 19.
- 5.5.5 Representations received on 26th and 27th February assert that a number of external lights have recently been installed to the building, contrary to National Park dark skies policy. Further concerns have also been raised citing that the property is already highly visible at night as a result of its large windows and lack of blinds. The previous installation of external lighting to this building (unless excluded by way of a planning condition, which is not applicable in this instance) would not require planning permission from the Local Planning Authority (LPA), and is not a material consideration in the assessment of this application. Whilst the other concerns raised by the letter of objection are recognised, matters relating to existing internal light fittings and furnishings cannot be controlled through this application. It would also be unreasonable to impose additional planning controls on existing external lighting units already installed.
- 5.5.6 Subject to the inclusion of the condition recommended above, the scheme is considered to accord with Core Strategy policies 1 and 19 and NPPF Para. 125.

Landscape Character

- 5.5.7 Core Strategy policy 20 seeks to protect the landscape quality and character of Northumberland National Park through the assessment of all proposals in terms of their impact upon landscape character and sensitivity and accordingly its support for appropriate development types.
- 5.5.8 The application site falls within the Rolling Upland Valleys Landscape Character Area as defined within the Northumberland National Park Authority Landscape Supplementary Planning Document (SPD). Having regard for the guidelines for development set out within the Landscape SPD, the nature of the proposed development as the conversion of an existing building incorporating relatively minimal external alterations, is such that this would have a negligible impact upon the landscape character of the area, in accordance with policy 20.



5.6 Highway safety, parking and access

- 5.6.1 The application site is located to the end of a private driveway some 170m from the adopted highway, leading to a gravelled turning and parking area with a vegetated central 'island'. The application site includes three parking spaces, one of which would serve the one bed holiday flat. The information submitted to support the application states that the applicant has a right of access to the property and right to use this area of land for vehicular parking.
- 5.6.2 Northumberland County Council (NCC) Highways were consulted on the application as the relevant Highway Authority. No objections have been raised by NCC Highways subject to conditions relating to the implementation and retention of the proposed parking area and submission of details of cycle parking, noting that whilst concerns have been raised regarding parking provision, 3no. spaces with sufficient turning as shown on the plans submitted is considered to be acceptable in highway terms. The condition relating to the retention of the parking area is considered to be reasonable, however the implementation aspect of the recommended wording is not considered necessary in this instance due to the retrospective nature of the development.
- 5.6.3 Whilst desirable, the condition relating to the provision of cycle parking is not a reasonable requirement in this instance as the NNPA Core Strategy does not set a requirement for cycle parking to be provided as part of development schemes.
- 5.6.4 An objection has been received from Tarsset and Greystead Parish Council on the grounds of lack of parking provision associated with the application. Each of the 3no. objections received in response to the application also raise issues surrounding the lack of space for further vehicular parking, additionally citing that the applicant has no legal right to parking more than 2no. cars on the site and that damage has been caused by the excessive number of cars parked at and visiting the property in the last year. Further comments have also been raised citing that the development is contrary to national parking standards, which require 2no. parking spaces per dwelling.
- 5.6.5 Whilst regard has been had for the concerns of the Parish Council and those relating to the lack of space for vehicular parking, the proposal is considered to be acceptable in terms of highway safety and the provision of an appropriate amount of vehicular parking relative to the property and overall site, based on the advice of the Highway Authority, in accordance with Core Strategy policy 3 and the NPPF.
- 5.6.6 Whilst the concerns relating to the legality of the level of parking proposed on the site and damage caused by visitors to the site have been noted, these are not



material planning considerations and therefore cannot be taken into account in the assessment of this application.

5.6.7 The further comments received on 26th and 27th February request the inclusion of a condition requiring that no works be undertaken until it can be demonstrated that adequate, legal, off-road parking can be achieved. As at paragraph 5.6.6, the legality of the parking proposed is not a material planning consideration and therefore no such condition could be attached to this planning approval.

5.7 Foul drainage and utilities

5.7.1 The Environment Agency is the statutory consultee advising the LPA with regards to foul drainage. A proposal of this scale however falls outside of the proposals that the Environment Agency wishes to be consulted on. The matter of foul drainage is therefore to be considered by the LPA.

5.7.2 The proposed method of foul drainage for the development is through a connection to the existing septic tank. It is understood from objections received in response to the application that this tank serves other nearby properties, with concerns being raised regarding the ability of the existing tank to cope with additional usage.

5.7.3 National Planning Practice Guidance states that a connection to a public sewer is the most preferable foul drainage option, followed by a Package Treatment Plant and then by a Septic Tank. The Authority is aware that the nearest mains sewage connection is some distance from the site (within Greenhaugh, around 500m away) and due to this distance accepts that connecting to this would be unfeasible.

5.7.4 The applicant has explained within the completed Foul Drainage Assessment form that the septic tank has been in place for a number of years and served the property when it was a single dwelling, arguing that there will be no additional impact upon the sewage system as a result of the subdivision of the building than had there been a family occupying the unit as a single, two storey dwellinghouse.

5.7.5 The proposed creation of a separate unit of accommodation within the existing building has resulted in the installation of additional facilities (kitchen, bath and bathroom) over and above those which were present in the former single dwellinghouse, as identified within one letter of objection. However as the proposed scheme does not include any extension or enlargement of the building and when viewed in combination the two resultant units of accommodation (i.e. the ground and first floor flats together) would have a similar number of inhabitants as a single dwellinghouse, which would be served by the existing septic tank, and thus a similar level of foul drainage discharge, it is considered that a connection to the existing septic tank would be acceptable in this case and would have a similar impact in



terms of foul drainage discharge than a single dwellinghouse with limited additional usage.

5.7.6 The completed FDA form indicates that the existing septic tank system does not have an Environment Permit issued by the Environment Agency. An informative is therefore recommended advising the applicant to contact the Environment Agency in order to discuss this matter.

5.7.7 It is understood that water supply for the existing site is via mains, with other services also provided on site. The proposed use of these services is considered to be acceptable.

5.8 Energy efficiency and renewable energy provision

5.8.1 Core Strategy policy 25 requires development to minimise the amount of energy used during construction, achieve the highest energy efficiency through the location, orientation, layout, design and insulation of development, or provide a contribution of 10% of the energy requirements through renewable technologies in order to meet the aims of policy 2, which aims to reduce emissions and energy during construction and help adaptation to climate change.

5.8.2 NPPF Paragraph 96 (Chapter 10) advises that local plan targets for decentralised energy supply should be met unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable, also taking into account landform, layout, building orientation, massing and landscaping to minimise energy consumption.

5.8.3 No information has been provided to demonstrate how the proposed development would accord with Core Strategy policies 2 and 25 and NPPF Chapter 10 in respect of renewable energy and climate change, both in terms of the incorporation or renewable energy technologies as part of the proposed scheme or justification to demonstrate why the 10% requirement in policy 25 could not be achieved. Information has also not been provided to demonstrate how energy use would be reduced or how high energy efficiency would be achieved. It is therefore considered reasonable that a planning condition be included to allow these measures to be put forward, or for justification why they are not viable to be provided.

5.9 Any other matters

5.9.1 One representation received in response to the application has raised issues concerning notice having been incorrectly served on the adjacent landowner. The application has subsequently been amended in order to serve the correct notice on



all relevant parties under Ownership Certificate B of the application form submitted. It is considered that the steps undertaken by the applicant to amend the application satisfy the concerns raised.

- 5.9.2 Whilst concerns raised by the owner of the adjoining property detailing negative impacts which have resulted from the use of the property as a holiday let including excessive rubbish are acknowledged, these are not matters which can be addressed through this planning application.
- 5.9.3 Each of the representations received in response to the application have identified that the applicant is already in breach of planning law through the operation of the self-contained unit for which planning permission is sought under this application. This is not a material planning consideration in this instance and therefore carries no weight in the assessment and determination of this application.
- 5.9.4 The objections received for the application raise issues surrounding covenants affecting the application site which the proposed development is considered by the objectors to be in breach of. Legal covenants and restrictions are separate matters to planning. The existence of planning permission does not remove or outweigh other legal issues, or lessen any covenants; however these are private matters between those parties relevant to the covenant or restriction. These are not material planning considerations and therefore cannot be afforded weight in the determination of this application. Similarly the issue of trespass is not a material planning consideration.
- 5.9.5 The representations received on 26th and 27th February request the inclusion of a condition requiring that no works be undertaken until land ownership issues are resolved, and also raise concerns that the plans submitted to support the application do not make clear that the driveway and yard do not fall within the ownership of the applicant, and that the property may be sold in the future with no legal right to park. As discussed at paragraph 5.9.4, these are not material considerations and cannot be afforded weight as part of this assessment. The application is supported by a location plan which includes a red line boundary, identifying the land to which the application relates, and serves notice on relevant surrounding landowners, thus acknowledging that the site is not within the ownership of the applicant.
- 5.9.6 Each of the objections received for the application state that the proposed development would be an inappropriate intensification of use within the hamlet of West Burnbank. The principle and location of development are considered in accordance with local and national planning policy. Having regard for the scale of development as a one bedroom holiday flat within an existing dwellinghouse which does not include any extensions or enlargements to the building and anecdotal evidence which indicates that the building was previously two flats, it is not



considered that the development would result in an inappropriate intensification of use.

6. Conclusion

- 6.1 The proposed scheme would represent sustainable tourism development that would make a positive contribution of the area and would improve the appearance of the building. The development would provide opportunities for visitors to experience, enjoy and understand the special qualities of Northumberland National Park without detrimental impact upon these qualities. Having regard for the objections received it is not considered that these would warrant refusal of the scheme; it is therefore considered that, subject to the inclusion of a number of planning conditions, the proposed scheme would accord with the Core Strategy policies, SPD guidance and national planning policy listed within the report.

7. Recommendation

- 7.1 Following consideration of the information submitted it is recommended that the proposal should be granted planning permission, subject to the conditions and informatives set out below.

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 19th January 2018
- Supplementary Ownership Certificate (as amended), received 1st Feb 2018
- Site Location plan (Drawing no. 17050-01), received 19th January 2018
- Site Block Plan (Drawing no. 17050-02), received 19th January 2018
- Proposed Elevations '*Elevation option 5*' (Drawing no. 218 SK04 Rev. A), received 19th January 2018
- West and South Elevations as existing (Drawing no. 17050-04), received 19th January 2018



- Existing Elevations (Drawing no. 218 EX03 Rev. A), received 19th January 2018
- Floor Plan Holiday Let (Drawing no. 17050-03), received 19th January 2018
- Floor Plan showing Proposed Balcony (Drawing no. 17050-05), received 23rd January 2018
- Foul Drainage Assessment Form (FDA), received 23rd January 2018
- Design and Access Statement, received 19th January 2018

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, 19, 20 and 25 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 relates to the provision of short-term holiday accommodation only and shall not be used at any time as permanent residential accommodation. Occupiers of the approved accommodation shall occupy this for holiday purposes only and shall not occupy this as their 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 at all reasonable times to the Local Planning Authority

Reason: To prevent a permanent and unrestricted residential use in an inappropriate open countryside location where this would not otherwise be in accordance with Core Strategy policies 5, 7, 9 and 10.

4. Prior to the fixing of any external lighting within the site in association with the development hereby permitted, including the proposed balcony and deck area as shown on the approved plans, 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 thereafter, unless removed entirely.

Reason: In order to ensure that there is no harmful effect upon the tranquillity and intrinsically dark character of the area, including the Northumberland Dark Sky Park



through excessive light pollution, in accordance with Core Strategy policy 19 and the NPPF.

5. Prior to the installation of the larch cladding, render or replacement windows as shown on *Proposed Elevations 'Elevation option 5' (Drawing no. 218 SK04 Rev. A)*, received 19th January 2018, samples and/or details of the following external facing materials shall be submitted to and approved in writing by the Local Planning Authority:

- Larch cladding
- Render/paint colour
- Colour and material of window frames

The development shall be constructed in accordance with the approved details and shall be retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to preserve the visual appearance, character and amenity of the area and the special qualities of the National Park, in accordance with Core Strategy policies 1, 3 and 18 and Chapter 6 of the NPPF.

6. Prior to the installation of the glazed panels as shown on *Proposed Elevations 'Elevation option 5' (Drawing no. 218 SK04 Rev. A)*, received 19th January 2018, details of the panels and any balustrading, supports and railings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and shall be retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to preserve the visual appearance, character and amenity of the area and the special qualities of the National Park, in accordance with Core Strategy policies 1, 3 and 18 and Chapter 6 of the NPPF.

7. The car parking area indicated on *Site Block Plan (Drawing no. 17050-02)*, received 19th January 2018 hereby approved shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with Core Strategy policies 1 and 3 and the NPPF.



8. Within 3 months of the date of this permission, 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 required shall be implemented in full before the first occupation of the development.

Reason: To ensure that 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 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

4. The applicant is advised to contact the Environment Agency in order to discuss the requirement for an Environmental Permit in respect of the existing septic tank. Contact details of the Environment Agency are available online here: <https://www.gov.uk/permits-you-need-for-septic-tanks/contact>

Contact Officer:

For further information contact Rebecca Adams, Planning Officer on 01434 611552 or e-mail: planning@nnpa.org.uk



Background Papers

Application file 17NP0005

EIA Screening Opinion



I8NP0005 The Library, Tarsset

Northumberland National Park Authority

