

Reference No. 19NP0015

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Mr Robin Wood
1 Meadowfield Court
Meadowfield Ind. Est.
Ponteland
Newcastle upon Tyne
NE20 9SD

Applicant :

Mr M D Campbell
Limekilns
Coley Lane
Houghton le Spring
DH4 5SQ

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

Variation of condition 3 of planning permission 17NP0037 (occupancy restriction) to permit year-round holiday-only occupancy at Otterburn Hall, Lodge 28 and 29, Otterburn, Northumberland, NE19 1HE

as described in application reference **19NP0015** and in the plans and drawings attached to it, subject to the following conditions:

1. The development hereby permitted shall be maintained in accordance with the following approved plans and documents:
 - Application form received 20th March 2019;
 - Location plan, received 11th April 2017
 - Planning Statement received 20th March 2019;
 - Drawing No. 02a Proposed floor plans, received 27th March 2017
 - Drawing No. 02b Proposed elevations, received 11th April 2017
 - Drawing No. 03 Site Plan Rev. A, received 11th April 2017
 - Drawing No. 04 Roof plan, received 27th March 2017
 - External lighting specification, 'Nordlux Can, Number: 28751134', received 7th June 2017
 - Foul Drainage Assessment form (FDA1), received 11th April 2017
 - Email correspondence 'RE: NNPA Application 17NP0037 – 2no lodges, Otterburn Hall (Mr. Cambell)', received 6th June 2017 (details of Sandtoft Double Roman Slate Grey concrete roof tiles, Siberian Larch Cladding – B11 profile fixed vertically, LG solar panel, smooth grey concrete paving flags)



Reason: For the avoidance of doubt and to ensure that the development accords with policies 1, 3, 5, 9, 10, 12, 14, 15, 17, 18, 19, 20, 25 and 28 of the NNPA Core Strategy and the National Planning Policy Framework.

2. Prior to the fixing of any external lighting within the site in association 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 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 paragraph 180 of the NPPF.

3. The chalet hereby approved relates to the provision of short-term 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 a location where this would not otherwise be in accordance with Core Strategy policies 5, 9 and 10.



4. Notwithstanding the provisions of the proposed plans and elevations, (Drawing No. 02b Proposed elevations) received 11th April 2017 the colour of the decking, steps, balusters and balustrades hereby permitted shall be retained as constructed in perpetuity unless first agreed in writing by the Local Planning Authority.

Reason: In order to preserve the visual appearance and amenity of the area, in accordance with Core Strategy policies 1 and 3 and the NPPF.

5. The development hereby permitted shall be connected to the site sewage treatment plant and shall be retained as such thereafter, unless first agreed in writing by the Local Planning Authority.

Reason: To ensure that reasonable infrastructure measures are put in place to accommodate foul waste generated by the development, in accordance with Core Strategy policy 28 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 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 Northumberland National Park Authority's Development Management team immediately of any 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 Planning Application 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 approved prior to the commencement 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. The applicant is recommended to contact a member of the Northumberland County Council Private Water Supplies Team on 01670 620374 with regard to The Private Water Supplies Regulations 2016, which came into force on 27 June 2016;
This legislation requires that each private water supply is subjected to a risk assessment that supplies water to any premises (other than a supply to a single dwelling not used for any commercial activity). It also requires 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, with the sampling frequency increasing when consumption is above 10m³. Supplies with a domestic only element to them (for example owner-occupied, second homes) and using <10m³ per day would be subject to sampling every five years at the time of risk assessment.

A copy of the Private Water Supplies Regulations 2016 can be viewed at:
<http://www.legislation.gov.uk/uksi/2016/614/contents/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: **8 May 2019**

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).**