

Reference No. 20NP0043

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Mr Neil Sedgley
2 North Jesmond Avenue
Jesmond
Newcastle Upon Tyne
NE2 3JX

Applicant :

Mr Neil Nicholson
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1a Bemersyde Drive
Jesmond
Newcastle upon Tyne
NE2 2HL

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

Conversion and extension of outbuildings (The Bothy and The Kennels) into 2 holiday accommodation units and construction of two storey side and rear extensions to existing dwelling and change of use of field to parking and alterations to driveway at Keepers Cottage, High Green, Tarsset, Otterburn, Northumberland, NE48 1RP

as described in application reference **20NP0043** 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 24th June 2020;
- Location Plan, Dwg No. A.LOC 1. Rev B, received 24th June 2020;
- Existing Site Plan, Dwg No A02, Rev C, received 24th June 2020;
- Proposed Site Plan, Dwg No A03, Rev D, received 24th June 2020;
- Existing Plans, Keepers Cottage, Dwg No A04, Rev C, received 24th June 2020;

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- Existing Plans and Elevations 1:50 Outbuilding, Dwg No A05, Rev C, received 24th June 2020;
- Proposed Plans and Elevations Outbuilding, Dwg No A06, Rev E, received 24th June 2020;
- Existing Plans Kennel, Dwg No A07, Rev C, received 24th June 2020;
- Existing Elevations Kennel, Dwg No A08, Rev C, received 24th June 2020;
- Proposed Plans Kennel, Dwg No A09, Rev D, received 24th June 2020;
- Proposed Elevations Kennel, Dwg No A10, Rev D, received 24th June 2020;
- Proposed Plans, Dwg No A11, Rev D, received 24th June 2020
- Existing Elevations, Dwg No A12, Rev B, received 24th June 2020
- Proposed Elevations, Dwg No A13, Rev D, received 24th June 2020
- Proposed Drainage Plan, Dwg No A14, Rev C, received 24th June 2020;
- Proposed Construction Method Statement Plan, Dwg No A15, Rev A, received 24th June 2020;
- Typical CS2 Gas Barrier Detail, Proposed Concept Detail, Dwg No A16, Revision A, received 14th July 2020;
- Design & Access Statement, Keepers Cottage, Otteburn, Northumberland 22.06.2020 Rev E, received 24th June 2020;
- Bat Survey, Keepers Cottage, E3 Ecology Ltd., June 2020, received 24th June 2020;
- Foul Drainage Assessment (FDA) Form received 24th June 2020;
- Correspondence from RA Dalton, Waste Water Specialists, 14th November 2019, received 24th June 2020;
- Correspondence from Andrew Bell, Bore Well Maintenance and Installation, Spring Water Supply, 22nd June 2020; received 24th June 2020;
- Product Specification, Biotec Kingspan Klargester, Wastewater Treatment, received 24th June 2020;
- The Coal Authority, CON29M, Coal Mining Report, Keepers Cottage, received 24th June 2020;
- Arboricultural Impact Assessment, Tree Protection Plan, Keeper Cottage, Dwg No. TPP.KC. No 1, received 24th June 2020;
- Arboricultural Constraints Assessment, Arboricultural Constraints Plan, Keepers Cottage, Dwg. No. ACP.KC.No 1, received 24th June 2020;
- Woodsman Arboricultural Consultancy, Pre- Development BS5837 Arboricultural Implications Assessment, Keepers Cottage 2020, received 24th June 2020;

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 ST1, ST2, ST4, DM2, DM6, DM7, DM10, DM11 and DM14 of

the Northumberland National Park Local Plan and the National Planning Policy Framework (NPPF).

3. Prior to the fixing of any external lighting associated with the holiday accommodation known as the 'Bothy' and 'Kennels' full details shall be submitted to and agreed in writing by the Local Planning Authority. Details of external lighting 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 International Dark Sky Park through excessive light pollution, in accordance Local Plan policy DM11 and the NPPF.

4. The development hereby permitted shall be connected to the package treatment plant prior to first occupation of the holiday accommodation 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 Local Plan policy ST2 and the NPPF.

5. Following conversion, the buildings referred to as the 'Kennels' and 'Bothy' shall be used for 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 ensure that the development hereby permitted is used for holiday accommodation only and to control the occupancy, as new residential accommodation in the open countryside would be contrary to the spatial strategy advocated by Policy ST4 of the Northumberland National Park Local Plan and the NPPF.

6. The submitted scheme for the provision of a sufficient and wholesome supply of water shall be implemented in full prior to first occupation of the holiday accommodation hereby approved.

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 requirements of the development.

7. The car parking area indicated on the approved plans shall be implemented in accordance with the approved plans. Thereafter, the car parking area 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 Local Plan policy ST2 and the NPPF.

8. Prior to first occupation of the holiday accommodation known as the 'Bothy' or 'Kennels' the means of vehicular access shall be reconstructed in accordance with an NCC Type 'A' construction specification with no loose or unbound materials within 6.0m from the edge of carriageway in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Local Plan policy ST2 and the NPPF.

9. The development of either the 'Kennels' or 'Bothy' shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity and sustainable development, in accordance with Local Plan policy ST2 and the NPPF.

10. No external refuse or refuse containers shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with Local Plan policy ST2 and the NPPF.

11. The approved Construction Method Statement shall be adhered to throughout the Construction period.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Local Plan policy ST2 and the NPPF.

12. The development hereby approved should be carried out in strict accordance with the avoidance and mitigation strategy detailed within Section H of the 'Bat Survey, Keepers Cottage, E3 Ecology Ltd., June 2020, received 24th June 2020' Report. In particular, attention is drawn to the need to undertake the development in accordance with the requirements in respect of:

- Timing of works;
- Working methods and best practice
- Installation of 6 bat boxes prior to commencement of works;
- Creation and retention of crevices roosts;
- Erection of three artificial house martin nests under overhanging eaves and six bird boxes on retained trees.

Reason: To ensure the development poses no risk of unacceptable harm to protected species and to ensure the development is in accordance with Local Plan policy DM10, Chapter 11 of the National Planning Policy Framework (NPPF) and the Conservation of Habitats and Species Regulations (as amended).

13. No construction work may commence on site, or construction vehicles, equipment, or materials shall enter the site until the measures to protect the trees to be retained on site have been implemented to BS5837 standard in accordance with the submitted 'Pre-Development BS5837 Arboricultural Implications Assessment' Report and associated 'Arboricultural Impact Assessment Tree Protection Plan'

Reason: In order to protect the existing trees on the site, in the interests of the amenity of the area in accordance with Local Plan policy DM12 and the NPPF.

14. The conversion works to the Kennels and Bothy hereby approved shall not commence until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties

15. The Kennels and Bothy shall not be used or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 14, which has been approved in writing by the LPA.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties

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. You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at:
westernareahighways@northumberland.gov.uk
4. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences
5. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway
6. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

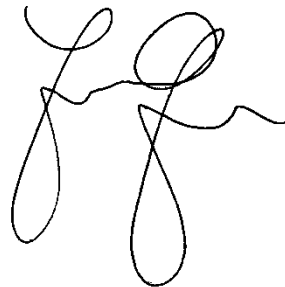
Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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: **7 August 2020**



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).**