

Reference No. 21NP0035

TOWN AND COUNTRY PLANNING ACT 1990

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

**Agent :**

Mr Ben Elliott  
Elliott Architects  
Unit 6 Shawwell  
Stagshaw Road  
Corbridge  
Northumberland  
NE45 5PE

**Applicant :**

Mr Matthew Stock  
Kidland House  
Harbottle  
Northumberland  
NE65 7DA

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

**Erection of 4no. proposed holiday lodges at Kidlandlee, Harbottle, Northumberland, NE65 7DA**

as described in application reference **21NP0035** 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 14th May 2021;
- Site Location Plan, Project 361, Number 0001, received 14th May 2021;
- Existing Site Plan, Project 361, Number 0002, received 14th May 2021;
- Existing Site Layout, Project 361, Number 0003, received 14th May 2021;
- Proposed Site Plan, Project 361, Number 1001, received 14th May 2021;

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- Proposed Site Layout, Project 361, Number 1002, Rev A, received 1st June 2021;
- Proposed Roof Plans, Project 361, Number 1006, Rev A, received 1st June 2021;
- Ground Floor, Dwg no 790\_PL\_201\_GF, 1 Bed, received 14th May 2021;
- Front Elevation, Dwg no 790\_PL\_401\_FE, 1 Bed, received 14th May 2021;
- Rear Elevation, Dwg no 790\_PL\_402\_RE, 1 Bed, received 14th May 2021;
- Side Elevation 1, Dwg no 790\_PL\_403\_SE-1, 1 Bed, received 14th May 2021;
- Side Elevation 2, Dwg no 790\_PL\_404\_SE-2, 1 Bed, received 14th May 2021;
- Ground Floor, Dwg no 790A\_PL\_201\_GF, 2 Bed, received 14th May 2021;
- Front Elevation, Dwg no 790A\_PL\_401\_FE, 2 Bed, received 14th May 2021;
- Rear Elevation, Dwg no 790A\_PL\_402\_RE, 2 Bed, received 14th May 2021;
- Side Elevation 1, Dwg no 790A\_PL\_403\_SE11, 2 Bed, received 14th May 2021;
- Side Elevation 2, Dwg no 790A\_PL\_404\_SE-2, 2 Bed, received 14th May 2021;
- Ecological Impact Assessment, Kidlandlee, Northumberland, E3 Ecology Ltd., 31st March 2021, received 14th May 2021;
- Kidlandlee Lodges, Planning Application Report, Elliot Architects Ltd., received 14th May 2021;
- Kingspan BA-BB-BAx BioDisc Product Specification received 1st June 2021;
- Kidlandlee Foul Drainage Assessment received 1st June 2021.
- Percolation Test Report, Veer Builders Ltd., Kidlandlee House, Kidlandlee, 25th June 2021, received 28th June 2021.
- Correspondence from Dales Water Services Ltd, Private Water Supply Abstraction Boreholes – Kidlandlee; ref C6325, received 2nd June 2021;
- E-mail from Dan Finney, 16:18, 15th June 202, further information re: foul drainage and water supply.
- Phase 1 Preliminary Contamination Risk Assessment, Kidlandlee, Harbottle, GEOL Consultants Ltd., 25th June 2021, received 28th June 2021.
- E-mail from Ben Elliot, 18:06, 4th August 2021, providing additional information in relation to landscape impacts;
- Kidlandlee Lodges, Natural Timber Cladding Examples, Elliott Architects, received 4th August 2021.

**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, ST5, DM6, 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 development hereby approved, details of the external lighting shall be submitted to and agreed in writing with 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, in accordance with Northumberland National Park Local Plan policy DM11 and the NPPF.

4. 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 Northumberland National Park Local Plan policies ST4, ST5 and the NPPF.

5. Prior to first occupation, each holiday unit shall be connected to the package treatment plant hereby approved 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 Northumberland National Park Local Plan policy ST2 and the NPPF.

6. The renewable energy measures specified at Section 5.5 of the Kidlandlee Lodges, Planning Application Report, Elliott Architect Ltd., shall be implemented in full prior to each lodge hereby approved first being brought into use and retained thereafter, for the lifetime of the solar panels / air source heat pump, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure that appropriate renewable energy and/or low carbon energy measures are included, in line with Northumberland National Park Local Plan policies ST1, ST2, DM13 and Chapter 14 of the NPPF.

7. The solar panels hereby approved shall incorporate anti-glare measures which shall be retained for the lifetime of the solar panels.

**Reason:** In the interests of protecting the visual amenity of the area, in accordance with Northumberland National Park Local Plan policies ST2, DM11 and the NPPF.

8. No lodge shall be brought into use until the cycle storage indicated on the approved plans for that lodge has been implemented in accordance with the approved plans. Thereafter, the cycle storage shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

**Reason:** In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework and Policy ST2 of the Northumberland National Park Local Plan.

9. No lodge shall be brought into use until the car parking area indicated on the approved plans for that lodge has been 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 the National Planning Policy Framework and Policy ST2 of the Northumberland National Park Local Plan.

10. No site clearance or ground disturbance should be undertaken in the bird breeding season (March-August), unless a checking survey has first been undertaken by a suitably qualified ecologist and any birds that are found to be nesting being allowed to finish nesting before such work commences.

**Reason:** To ensure that ground nesting birds on the site are protected in accordance with Northumberland National Park Local Plan policies ST1, ST2, DM10 and the NPPF.

11. Prior to the commencement of any ground clearing or disturbance works, a precautionary working method statement for reptiles, amphibians and mammals shall be submitted for approval by the Local Planning Authority. All works shall be undertaken in complete accordance with the approved working method statement.

**Reason:** To ensure the adequate protection of biodiversity in accordance with Northumberland National Park Local Plan policies ST1, ST2, DM11 and the NPPF.

12. Prior to development commencing, a soft landscaping scheme, to include exact locations, species and specifications of all trees, shrubs and other soft landscaping on the site, including precise details of those trees to be retained and those to be removed and replanted, shall be submitted to, and approved in writing by, the Local Planning Authority. The soft landscaping shall be carried out in full accordance with the approved details in the first planting season following the commencement of the development. Any trees, shrubs or plants which die, or are otherwise removed, within a period of five years of the completion of the development shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interests of protecting the visual character and biodiversity of the area, in accordance with Northumberland National Park Local Plan policies ST2, DM10, DM11 and the NPPF.

13. Unless otherwise agreed in writing by the Local Planning Authority, for every two trees moved and replanted to accommodate the lodges, one additional tree should be planted within the site.

**Reason:** To account for trees which fail to establish upon replanting and to ensure no net loss of biodiversity in accordance with Northumberland National Park Local Plan policies ST1, ST2, DM11 and the NPPF.

14. Prior to first occupation of any of the lodges hereby approved, full details of the biodiversity enhancement measures summarised in the 'Ecological Impact Assessment Report, Kidlandlee, Northumberland, E3 Ecology Ltd., 31st March 2021' and to be provided on site, shall be submitted for the approval of the Local Planning Authority. This shall include details of:

- Creation of additional hedgehog/reptile/amphibian hibernacula or habitat piles.
- Provision of integrated bird nesting and bat roosting features in the new buildings on site.

The approved measures shall be installed and provided prior to any lodge hereby approved being first occupied and shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority

**Reason:** To ensure the development makes adequate provision for the protection and enhancement of habitats and species, in accordance Northumberland National Park Local Plan Policies ST2 and DM11 and the NPPF.

15. Prior to any upgrade of the access track, full details should be submitted to and agreed in writing by the Local Planning Authority. All works shall be undertaken and maintained in accordance with the approved details.

**Reason:** In the interests of protecting the landscape character and visual amenity of the area, in accordance with Northumberland National Park Local Plan policies ST2, DM11 and the NPPF.

16. For the avoidance of doubt, no further decking, fencing or balustrades or other outdoor structures such as hot tubs or saunas shall be attached to or associated with the lodges hereby permitted.

**Reason:** To prevent suburbanisation of the rural landscape in accordance with the requirements of Northumberland Local Plan policies ST1, ST2 and DM11.

## Informative Notes:

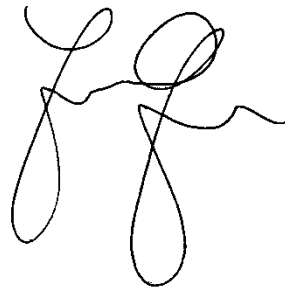
1. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
  - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, may constitute unauthorised development and may be liable 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 works must have no effect on accessing footpaths 105/031 or 105/032, designated public rights of way. No action should be undertaken to disturb the surface of the paths, obstruct the paths 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: **19 August 2021**



**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).**