

Reference No. 19NP0014

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Mr Duncan Hartley
Rural Solutions Ltd
Canalside House
Brewery Lane
Skipton
BD23 1DR

Applicant :

Mr James Pritchard
c/o The Agent

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

Demolition of existing dwelling and outbuildings and the construction of a replacement dwelling and replacement outbuildings, including change of use from agricultural land to residential curtilage at Evistones Cottage, Rochester, Newcastle Upon Tyne, NE19 1RY

as described in application reference **19NP0014** 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 forms received 20th February 2019
- Heritage Statement received 12th February 2019
- Planning Statement received 12th February 2019
- Ecological Appraisal and Bat Survey received 12th February 2019
- Drainage Philosophy received 20th February 2019
- Contamination Assessment received 20th February 2019
- Foul Drainage Assessment Form received 28th February 2019
- Location Plan received 4th March 2019

APPLICATION REFERENCE NUMBER: 19NP0014

- Ownership Plan received 4th March 2019
- Visual Study received 24th April 2019
- 3D model perspective drawings received 24th April 2019
- Schedule of Area received 24th April 2019
- Landscape Master Plan received 20th February 2019
- Proposed Drainage Plan, Drawing number 18T1690-130 Rev. P1 received 12th February 2019
- Proposed site layout, Drawing number 012 Rev. C received 12th February 2019
- Proposed overall site layout, Drawing number 013 Rev. C received 12th February 2019
- Existing site layout, Drawing number 017 Rev. -- received 20th February 2019
- Proposed roof plan, Drawing number 017 Rev. -- received 20th February 2019
- Proposed layout Stable Courtyard Scheme, drawing number 010 rev D received 12 February 2019
- Proposed elevations, Drawing number 014 Rev. e received 24th April 2019
- Elevational Survey, Drawing number 17J204 Rev. 001 received 12th February 2019
- Topographical survey of land, Drawing number 17J097 Rev. 001 received 12th February 2019
- Proposed replacement cottage elevations, Drawing number 015 Rev. B received 12th February 2019
- Proposed replacement cottage elevations, Drawing number 015 Rev. C received 24th April 2019
- Proposed Ecological mitigation plan, Drawing number 020 Rev. -- received 25th April 2019
- Proposed elevations, Drawing number 014 Rev. D received 12th February 2019
- Email from agent including landscape Visual Study with justifications received 24th April 2019
- Email from agent with assessment of scale of the proposal received 24th April 2019

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, 9, 10, 12, 14, 17, 18, 19, 20, 21, 25, 27 and 28 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).

3. Prior to the fixing of any external lighting associated with the development, 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 Policies 1 and 19 of the Core Strategy and paragraph 125 of the NPPF.

4. The development hereby approved should be carried out in strict accordance with the avoidance and mitigation strategy detailed in Section G of the 'E3 Ecology Ltd Ecological Appraisal and Bat Survey, Evistones Cottage, Rochester – February 2019 Final' and drawing 'Proposed Ecological Mitigation Plan', Plan No. 020. In particular, attention is drawn to the need to undertake the development in accordance with the requirements in respect of:

- Timing
- Bat boxes
- Bat crevices
- Barn Owl box
- Artificial nest sites for swallows

The development shall be carried out in accordance with the approved details.

Reason: To ensure the development poses no risk of unacceptable harm to protected species and to ensure the development is in accordance with Core Strategy Policy 17, the National Planning Policy Framework (NPPF) and the Conservation of Habitats and Species Regulations (as amended).

5. Prior to the commencement of the construction of the outbuildings hereby approved, samples and details of the following external facing materials shall be submitted to and approved in writing by the local planning authority:

- Solar roof panels

The development shall be constructed in accordance with the approved details.

Reason: In order to preserve the visual appearance and amenity of the area, and the special qualities of the National Park, in accordance with Core Strategy policies 1 and 3 and the National Planning Policy Framework (NPPF).

6. The development hereby approved shall be constructed using only natural stone and natural slate.

Reason: In order to preserve the proposed high quality design of the buildings in accordance with Core Strategy policies 1 and 3 and the National Planning Policy Framework (NPPF).

7. The outbuildings hereby approved shall not be brought into use until the proposed solar roof tiles are installed in accordance with the approved plans.

Reason: To ensure an appropriate level of renewable energy is achieved in accordance with the requirements of Policy 25.

8. The ridge height of the cottage hereby approved shall be no higher than 6.9m from existing ground level.

Reason: In order to preserve the visual appearance and amenity of the area, and the special qualities of the National Park, in accordance with Core Strategy policies 1 and 3 and the National Planning Policy Framework (NPPF).

9. Prior to demolition of the Cottage and associated historic outbuildings, a Level 2 Historic Building Record shall be carried out. On completion of the Historic Building record it should be submitted to the Local Planning Authority for its records.

Reason: To ensure the historic significance of Evistones Cottage is recorded by virtue of it being a non-designated heritage asset in accordance with Core Strategy Policy 18.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other Order revoking or re-enacting the Order), no development permitted by Classes A,B,C,E, of Schedule 2 Part 1 of the Order shall be carried out without the approval of a formal application to the Local Planning Authority.

Reason: To prevent subsequent development from resulting in an overdevelopment of the site, or causing harm in terms of neighbouring residential amenity, visual amenity or from impacting upon the special qualities of the National Park, in accordance with Core Strategy policies 1 and 3, and the NPPF.

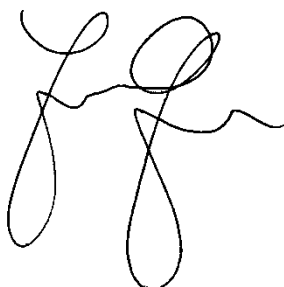
Informative Notes:

1. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, may constitute unauthorised development and may be liable to enforcement action.
 - b) You, your agent, or any other person responsible for implementing this permission should inform the Local Planning Authority immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.
2. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. Some conditions may require work to be carried out, or details to be approved prior to the commencement of the development. Where pre-commencement conditions are not complied with, the whole of the development could be unauthorised, and you may be liable to enforcement action. In some circumstances, the only way to rectify the situation may be through the submission of a new application. If any other type of condition is breached then you may be liable to a breach of condition notice.
3. The application site is located within the Northumberland International Dark Sky Park. The 'Good Practice Guide for Outside Lighting in Northumberland International Dark Sky Park' and an additional guide to unacceptable / acceptable lighting is attached. It is recommended that any external lighting required in connection with the development is undertaken in accordance with the Guidance.

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: **15 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).**