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Northumberland NE66 1TL

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Mr Colin Godfrey
Planning Department
Northumberland National Park
Eastburn
South Park
NE46 1BS

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Direct Dial: ██████████
Mobile: ██████████
Email: ██████████
Our Ref: ALN509665/
Your Ref: 19NP0054
Date: 30 August 2019

Dear Colin

PLANNING APPLICATION FOR THE REMOVAL OF RESTRICTIVE PLANNING CONDITION

Further to our recent correspondence and the position of the application, I write to you setting out our formal position moving forward with the application. Previous discussions indicated that the LPA require additional information with regards to how the evidence base supports the case made within the Statutory Declaration.

Background

Given the planning history of the site and the apparent conflicting statements between the current application and the previously withdrawn application (17NP0119) for the removal of condition 13 (holiday accommodation use) of planning permission 05NP57, I think it important to clarify the matters of this case.

Permission was granted by Northumberland National Park Authority in 2006 for the change of use to holiday accommodation, rebuilding of adjacent barn and erection of 6.5m to hub, wind turbine under application 05NP57. Following the grant of planning permission, the applicants undertook the change of use of the building and the various conversion works of the attached barn. Construction works were completed in 2007 and the applicant began marketing the dwelling as a holiday let, however the business was subject to zero occupancy rates, despite significant efforts having been made. As stated previously High Tipalt has never been occupied as holiday accommodation by a paying customer.

The Statement provided within application 17NP0119 does state *the aim is to continue to run the business*, however this refers to providing greater flexibility for the applicant to continue letting out the residence generally whether that be for short or long term residence. High Tipalt was let out for a period of 12 months beginning in December 2015 and was therefore in breach of the planning condition 13, which prevents the accommodation being occupied by the same person or group of persons in excess of 12 weeks during one calendar year. Details of the original website have previously been provided to the LPA which highlighted that the business never took off.

Following the unsuccessful letting of the property between 2007-2008, the applicant began occupying the property as a dwelling house on 09.01.2009. The applicant has occupied the property under Use Class C3 in excess of 10 years, of which the property was privately rented as a dwelling house for 12 months beginning in 2015. I would therefore consider the above information sufficient to demonstrate High Tipalt has never been occupied as holiday accommodation.

Supporting Evidence

Previous discussions have indicated that you have concerns regarding the addresses detailed on the supporting evidence which is largely addressed to High or Low Tipalt. I understand it is the councils view that

the inclusion of two address conflicts with the statement that High Tipalt is the applicants '*only and fulltime home*'. The evidence located at Appendix C of the original submission highlights the property was being occupied as residence, evidencing dates when Mary and Chris either did something, received something or ordered something which would require them being at High Tipalt. The applicant is Ms Almond however her partner Mr Chris Spencer also resides at the property. Between them they operate Tipalt Farms, an agricultural holding which also includes the properties at High and Low Tipalt.

Following the economic downturn in 2008 and the unsuccessful holiday letting of High Tipalt, in 2009 they successfully let the farm including Low Tipalt through an agricultural tenancy. High Tipalt is excluded from the tenancy which they retained control of, using it as a residential home from 2009. As a result of the farming operations, the business, the properties of High and Low Tipalt there are varying degrees of conflict between the persons named and the billing address of some of the information. The applicant has resided at High Tipalt since 2009. Reference to Low Tipalt on supporting evidence is a result of the association with Tipalt Farms as the business is registered to Low Tipalt, which remains in the applicant's ownership but let under tenancy.

The supporting evidence also indicates the applicant has previously resided in Scotland during the past 10 years. Ms Almond and Mr Spencer's residence is High Tipalt. During the past 10 years the applicant has lived between High Tipalt and Scotland due to varying work commitments. The Council previously had some queries as to the extent of the applicants stays at High Tipalt and whether this represents a residential or personal holiday use. However regardless of the extent of the stays, this consists a breach of condition. The application has resided at High Tipalt (Use Class C3) in excess of 10 years, it is therefore an established residential property.

I trust the above information is sufficient to provide clarification on the addresses and how this illustrates High Tipalt as the only residence of Ms Almond.

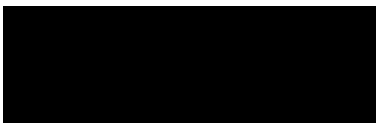
Council Tax

Details of council tax payment has been included within the original submission starting from 2013. The Council have requested additional detail relating to council tax at High Tipalt to support the case the property has been used for residential purposes in excess of 10 years. Although lack of evidence within the original submission clearly limits the evidence base it does not mean the property was not being occupied for residential purposes.

The client has obtained additional information regarding the payment of council tax during the years of occupation. Northumberland County Council have confirmed that Ms Almond phoned regarding the new property on 17th July 2007 at which time it was to be rented as a holiday let. Council records further show that the account was formally registered and set up from 9th February 2011 with effect from 1st August 2010. This narrative provided by the revenues department reflects the statement of this application, High Tipalt was intended to be used as a holiday let but has since been in use a residential property. The email correspondence with the revenues department is included at Appendix A.

I understand the council may be concerned that the council tax only took effect from the 1st August 2010, rather than the 9th January 2009 the date which Ms Almond began occupying the property as permanent residence. However, the collection of council tax or non-payment would be for the revenues section to consider as opposed to proving or disproving the occupancy. The evidence of council tax leaves a discrepancy of 1 year and 7months, through which there is no council detail of the property being used for residential purposes. Although there is a lack of council tax evidence from the year 2009, further evidence has been provided to the council which clearly illustrates the applicant was residing at High Tipalt.

Yours sincerely



Hannah Wafer
Graduate Planner
For and on behalf of George F White LLP

APPENDIX A – CORRESPONDENCE WITH REVENUES DEPARTMENT

Hannah Wafer

From: [REDACTED]
Sent: 14 August 2019 13:15
To: [REDACTED]
Subject: Fw: NCC Council Tax: Re. High Tipalt, Greenhead, Brampton, CA8 7JB

----- Forwarded message -----

From: Tim Edwards [REDACTED]
To: [REDACTED]
Sent: Wednesday, 14 August 2019, 12:26:57 GMT+1
Subject: NCC Council Tax: Re. High Tipalt, Greenhead, Brampton, CA8 7JB

Dear Ms Almond,

Further to our telephone conversation this morning, I can confirm the following.

Council Tax Account [REDACTED] High Tipalt, Greenhead, Brampton, CA8 7JB

Period of account was 01-AUG-2010 to 08-DEC-2015
First payment received 21-JUN-2011

With regard to the telephone conversation that you had regarding High Tippalt being a holiday let, the note regarding this conversation was dated 17-JUL-2007 and is recorded against the account for Low Tippalt but reads "MARY ALMOND PHONED RE NEW PROP AT HIGH TIPPALD - TO BE RENTED AT HOLIDAY LET - MRS ALMOND OWNS THIS PROP - SHE IS BUSINESS PARTNER OF MR SPENCER AND LIVES AT KELSO - FORMS TO GO OUT"

At this time the council's records show that High Tipalt was not completed and it was not actually registered and set up on our system until 09-FEB-2011, with effect from 01-AUG-2010. It would appear this was as a result of contact from yourself in December 2010.

I trust this is in order but if you have any further questions please do not hesitate to contact this office.

Yours Sincerely,

Tim Edwards
Council Tax Officer
Revenues Section
Northumberland County Council
Wansbeck Square
Ashington
NE63 9XL

Council Telephone Number: [REDACTED]
Direct Telephone Number: [REDACTED]

Website: www.northumberland.gov.uk



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