

Reference No. 19NP0057

TOWN AND COUNTRY PLANNING ACT 1990

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

Applicant :

Mr William Charlton
Hesleyside Hall
Bellingham
Northumberland
NE48 2LA

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

Construction of a timber tower (holiday accommodation) including installation of package treatment plant at Hesleyside Huts, Hesleyside Hall, Bellingham, Northumberland, NE48 2LA

as described in application reference **19NP0057** 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:

- Planning Application Form received 29/7/2019
- Design and Access Statement received 3/6/2019
- Foul Drainage Statement received 26/7/2019
- Mains sewer confirmation letter received 26/7/2019
- Percolation test results received 26/7/2019
- Letter confirming water treatment plant specification received 26/7/2019
- Foul Drainage Form received 26/7/2019
- Tree Survey received 26/7/2019

APPLICATION REFERENCE NUMBER: 19NP0057

- Ecological Appraisal received 26/7/2019
- Heritage Statement received 26/7/2019
- Public sewer location plan received 26/7/2019
- Ariel and ground level view plans received 3/6/2019
- Matrix sewage treatment systems Operation and maintenance manual received 12/9/2019
- Site Plan showing footpath received 23/8/2019
- Site Plan received 26/7/2019
- Plan sections and elevations received 3/6/2019
- Location Plan received 3/6/2019
- Base Plan received 26/7/2019
- Confirmation email of existing service provision – electrical and water received 13/9/2019

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, 3, 5, ,9, 10, 12,14, 15, 17, 18, 19, 20, 25 and 28 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).

3. The development 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 an inappropriate open countryside location where this would not otherwise be in accordance with Core Strategy policies 5 and 9 and paragraph 55 of the NPPF.

4. 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
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- 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 tranquillity 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 180 of the NPPF.

5. The accommodation hereby approved shall not be occupied until it has been connected to the package treatment plant in accordance with the Foul Drainage Assessment Form.

Reason: To ensure that appropriate infrastructure is in place to protect local amenity the wellbeing of local communities and to ensure the proposal accords with Core Strategy Policy 3 and the NPPF.

6. The package treatment plant hereby permitted shall be dark green or dark brown, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the surround area and the special qualities of the National Park, in accordance with Core Strategy policies 1 and 3 and the NPPF.

7. The development hereby approved should be carried out in strict accordance with the avoidance and mitigation strategy detailed in Section H of the '*E3 Ecology Ltd Ecological Appraisal Hesleyside Hut July 2019*'.

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).

8. The development hereby approved should be carried out in strict accordance with section 5 Pre-construction & Site Preparation Works, section 6 Tree Protection measures during construction and section 7 Post-construction Considerations of the *'Elliott Consultancy Ltd. Arboricultural Survey, Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan Larch Tower, Hesleyside Huts July 2019'*.

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).

9. The holiday accommodation hereby permitted shall be clad in darkened larch, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the surrounding area and the special qualities of the National Park, in accordance with Core Strategy policies 1 and 3 and the NPPF.

10. Should the holiday accommodation hereby permitted become permanently disused for a period exceeding twelve months, it shall be removed from the site in its entirety.

Reason: To prevent an adverse impact upon the visual amenity of the area, in accordance with Policies 1, 3, 18 and 20 of the Core Strategy.

11. The accommodation hereby approved shall not be occupied until a Woodland Management Plan (which could be an amendment to the existing Hesleyside Woodland Management Plan 2013-2033) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall identify a continuous forest cover woodland prescription for woodland compartments 1j and 9 for the lifetime of the development including routine and emergency maintenance and details of any subsequent replanting following the removal of any trees.

Reason: In the interests of the visual amenity and landscape character of the area and to ensure the development is in accordance with Core Strategy policy 20 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.

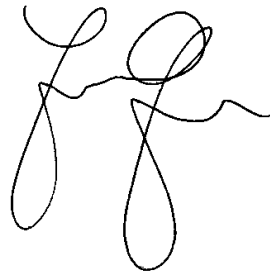
2. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. Some conditions may require work to be carried out, or details to be approved 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.

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: **20 September 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).**