

Reference No. 19NP0074

TOWN AND COUNTRY PLANNING ACT 1990

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

Applicant :

Dr Andrew Birley
Chesterholm Museum
Bardon Mill
Hexham
Northumberland
NE47 7JN

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

Variation of condition 2 (approved plans) of planning permission 18NP0081 - Demolition of existing timber clad buildings and shed and construction of replacement single storey building at Vindolanda, Bardon Mill, Hexham, Northumberland, NE47 7JN.

The proposed variations to planning permission 18NP0081 are approved and planning permission is granted under reference 19NP0074, 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 10th September 2018 as updated by application form received 15th August 2019;
- Location plan (Dwg. No. AL(0)01 Rev 2), received 28th August 2018
- Design and Access Statement (Rev 1), received 28th August 2018
- Site plan as existing (Dwg. No. AL(0)02 Rev 2), received 28th August 2018
- Site plan as proposed (Dwg. No. AL(0)12 Rev 2), received 28th August 2018

- Proposed plan (Dwg. No. AL(0)15 Rev 1), received 28th August 2018 as amended by Site Plan Drawing 010 July 2019 Rev A received 15th August 2019;
- Plans and elevations in context (Dwg. No. AL(0)14 Rev 1), received 28th August 2018 as amended by Site Elevations Dwg 006 Revision A July 2019 received 15th August 2019;
- Existing huts, site plan and elevations (Dwg. No. AL(0)21 Rev 1), received 28th August 2018
- Proposed alterations to existing stone wall (Dwg. No. AL(0)16 Rev 1), received 28th August 2018
- Nissen Hut proposed plans and elevations (Dwg. No. AL(0)13 Rev 1), received 28th August 2018 as amended by Elevations Dwg 002 Revision C August 2019 received 15th August 2019;
- Existing and proposed path section A-A (Dwg. No. AL(0)20 Rev 1), received 28th August 2018
- Proposed re-location of gravel store "bays" (Dwg. No. AL(0)22 Rev 1), received 10th September 2018
- Email correspondence Subject: Re: NNPA application ref. 18NP0081 (Vindolanda) - materials queries, sent 29 October 2018 11:49, received 29th October 2018
- Email correspondence Subject: Re: NNPA application ref. 18NP0081 (Vindolanda) - materials queries, sent 29 October 2018 12:32, received 29th October 2018
- Email correspondence Subject: Our ref P00969371 Vindolanda Archaeological centre, sent 02 October 2018 13:28, received 9th October 2018
- Topographic Survey of Vindolanda (Dwg. No. 11222/T/01-05), received 28th August 2018
- Photograph: Existing Building (AL(0)17), received 28th August 2018
- Bat Risk Assessment Survey – Chesterholm Museum, Bardon Mill, NE47 7JN, received 28th August 2018
- Bat Report Survey – Chesterholm Museum, Bardon Mill, NE47 7JN, received 28th August 2018
- Extended Phase 1 Habitat Survey of Vindolanda, dated 6th May 2009, received 28th August 2018
- LiDAR DSM North Field, received 28th August 2018
- Option B General Plan Dwg 001 Revision B July 2019 received 15th August 2019;
- Correspondence from Vindolanda Charity Trust received 15th August 2019;
- Greenhunt ARC II Modular Construction Product Specification July 2019 received 15th August 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, 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 permitted shall be carried out in accordance with the recommendations described within the Bat Report Survey – Chesterholm Museum, Bardon Mill, NE47 7JN, received 28th August 2018, including:

- The installation of 2no. bat boxes in trees to the rear of Building C; and
- Site checking or cessation of works during the bird breeding season (March to August)

Reason: To ensure the development poses no risk of unacceptable harm to protected species and makes provision for the protection and enhancement of habitats and protected species, in accordance with Core Strategy policy 17, Chapter 15 of the NPPF and the Conservation of Habitats and Species Regulations 2010

4. Prior to the fixing of any external lighting required in association with the development hereby permitted, 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.

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.

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 development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

4. The applicant is advised that Scheduled Monument Consent is required for the proposed development and in this regard should contact Historic England by email at: northeast@HistoricEngland.org.uk or telephone on 0191 2691255

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: **24 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).