

Reference No. 19NP0093

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Mrs Clare Grundy
Arch 6
Stepney Bank
Newcastle upon Tyne
NE1 2NP

Applicant :

Mrs L Searro
Swallow Barn
Belsay
Northumberland
NE20 0HA

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

Proposed construction of a detached dwelling at The Former Cricket Ground, Harbottle, Morpeth, Northumberland, NE65 7DQ

as described in application reference **19NP0093** 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 18th September 2019;
- Location plan received 24th September 2019;
- Existing Site Plan, Sections and Elevations, Dwg no. M647/01 received 18th September 2019;
- Proposed floor plans, roof plan and sections, Dwg no. M647/02/Rev G, received 26th November 2019;
- Proposed sections and elevations, Dwg no. M647/03/Rev F, received 26th November 2019;
- Proposed site plan, Dwg no. M647/04/Rev E received 26th November 2019;
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- View into proposed site, Dwg no M647 / 05 received 18th September 2019;
- Proposed landscape plan, details of fence and Ha-Ha, Dwg no. M647/06, received 21st November 2019;
- Contaminated Land Screening Assessment Form received 18th September 2019;
- Preliminary Ecological Appraisal of Land to the South of the Old Mill, Dendra Consulting Ltd., S&D_Harbottle_Eco1.2, dated 22/01/2019 received 18th September 2019;
- Proposed new house on part of former Cricket Ground, Harbottle, Planning, Design and Heritage Statement, received 18th September 2019;
- Product brochure 'Clearline Fusion roof integrated solar PV', received 26th November 2019;
- E-mail from Clare Grundy received 20th November 2019; 16:17 regarding sequential test;
- E-mail from Clare Grundy received 26th November 2019; 12:06 regarding ecology and renewable energy;

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, 4, 5, 6, 9, 10, 17, 18, 19, 20, 22 and 25 of the Northumberland National Park Authority Core Strategy & Development Policies Document (Core Strategy) and the National Planning Policy Framework (NPPF).

3. Prior to the commencement of the construction of the dwelling hereby approved, samples and / or full details of the following external facing materials shall be submitted to and approved in writing by the local planning authority:

- Slate roof tiles;
- Metal cladding (roof and walls);
- Timber boarding;
- Stone plinth;
- Glazed aluminium windows and doors;
- Timber garage doors

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 NPPF.

4. Prior to the commencement of any groundwork, an archaeological written scheme of investigation (WSI) shall be submitted for written approval by the Local Planning Authority.

Reason: In order to ensure that there is no unacceptable risk to potential or unknown archaeology on the site and to safeguard the cultural heritage of the National Park, by providing an adequate opportunity to investigate archaeological remains on the site before development is carried out, in accordance with Core Strategy policy 18 and Chapter 16 of the NPPF.

5. The development shall be undertaken in accordance with the archaeological written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority. A copy of the report compiling the assessment and findings of the excavation shall be submitted to the Local Planning Authority within two months of the investigative works being completed by the archaeologist.

Reason: In order to ensure that provision is made for the recording of any archaeological features or finds during the development, in accordance with Core Strategy policy 18 and Chapter 16 of the NPPF.

6. If during development contamination not previously considered is identified, then a method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the method statement has been submitted to and approved in writing by the Local Planning Authority and measures proposed to deal with contamination have been carried out.

Reason: To ensure that any contaminants not previously considered within the site are dealt with in an appropriate manner to afford protection to the end user in accordance with Core Strategy policy 3 and the NPPF.

7. During the demolition / construction period, there shall be no noisy activity i.e. audible at the site boundary on Sundays or Bank holidays or outside the hours: Monday to Friday 08.00 – 18.00, Saturday 08.00 – 13.00. Any repeatedly noisy activity at any time may render the developer liable to complaints which could result in an investigation as to whether a statutory nuisance is being caused.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Core Strategy policy 3 and the NPPF.

8. Delivery to and collections during the construction phase of the development shall only be permitted between the hours: Monday to Friday 08.00 – 18.00, Saturday 08.00 – 13.00 with no deliveries or collections on a Sunday or Bank Holiday, unless otherwise agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Core Strategy policy 3 and the NPPF.

9. The dwelling shall not be occupied until the car parking 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 dwelling.

Reason: In the interests of highway safety, in accordance with Core Strategy policy 3 and the NPPF.

10. Development shall not commence until a Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- Details of temporary traffic management measures, temporary access, routes and vehicles;
- Vehicle cleaning facilities;
- The parking of site operatives and vehicles;
- Storage of plant and materials used in constructing the development;

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Core Strategy policy 3 and the NPPF.

11. 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 Policies 1 and 19 of the Core Strategy and paragraph 180 of the NPPF.

12. The dwelling hereby approved shall not be occupied until the proposed solar PV panels are installed in accordance with the approved plans. Any change to the proposed solar PV panels should be submitted to and approved in writing by the LPA prior to their installation.

Reason: In order to ensure that the development incorporates adequate renewable energy technologies and energy efficiency measures to accord with Core Strategy Policy 25 and Chapter 10 of the NPPF.

13. Prior to the first occupation of the dwelling hereby approved, details of the obscure glazing to be applied to the bedroom / dressing room window to the west elevation of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall be installed in accordance with the submitted details, prior to the first occupation of the property and shall remain as such thereafter.

Reason: To ensure that residential amenity is protected in accordance with Core Strategy Policy 3 and the NPPF.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows, doors or other openings other than those expressly authorised by this permission shall be installed in the west elevation.

Reason: To ensure that amenity is protected in accordance with Core Strategy policy 3 and the NPPF.

15. The proposed landscaping and planting shall be implemented in full accordance with drawing M647 /06 in the first available planting season following occupation of the dwelling hereby approved, unless an alternative timescale is agreed in writing with the Local Planning Authority.

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 the visual amenity of the area and to ensure the development is in accordance with Core Strategy policies 17 & 20 and the NPPF.

16. The dwelling hereby approved shall not be occupied until the hard landscaping scheme has been implemented in full accordance with the approved details set out in Dwg no. M647 / 06.

Reason: In the interests of protecting the visual character of the area, in accordance with Core Strategy policies 1 and 3 and the NPPF.

17. The dwelling hereby approved shall not be occupied until the boundary treatments have been implemented in full accordance with the approved details set out in Dwg no. M647 / 06.

Reason: To ensure that the boundary treatments are appropriate in the context of the design of the development and its surroundings, in accordance with Core Strategy policies 1 and 3 and the NPPF.

18. The development hereby permitted shall not be occupied until the dwelling has been connected to the mains sewer in accordance with the submitted details.

Reason: To ensure that adequate measures to deal with foul drainage are in place before the development is occupied without the development creating a negative impact in terms of amenity or localised pollution, in accordance with Core Strategy policies 1 and 3 and the NPPF.

19. The development hereby approved should be carried out in strict accordance with the avoidance and mitigation strategy detailed in Section 6 of the 'Preliminary Ecological Appraisal of Land to the South of the Old Mill, Dendra Consulting Ltd., S&D_Harbottle_Eco1.2, dated 22/01/2019' Report and shown on Dwg no. M647/04/Rev E. In particular, attention is drawn to the need to undertake the development in accordance with the requirements in respect of:

- No vegetation clearance works (including tree felling) between mid-March and August (inclusive) unless a checking survey by a suitably qualified ecologist has confirmed no breeding birds are present;
- Checking surveys;
- The provision of two bat boxes (one on a retained tree; one on the stone bothy) prior to the felling of trees on the site boundary;
- Provision of a bat box on the west elevation of the proposed dwelling following construction;
- Erection of a Schwegler House Sparrow terrace nest box on the north or north-east elevation of the new dwelling.

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).

20. The final finished floor levels shall be as per the site section detailed on Dwg M647/02/Rev G

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 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. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for skips and containers licenses.

4. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

5. Containers for the storage of waste. For new individual properties the following will be required to be provided:

- 240 litre wheeled bin for residual refuse;
- 240 litre wheeled bin for recycling

Developers should be made aware that an additional 240 litre brown bin may also need to be accommodated for garden waste which is subscription seasonal scheme.

6. It would be expected that effective dust management should be employed during the demolition and construction works.

Contractors and their employees should use effective dust minimisation techniques which shall have regard to guidance such as:

The Institute of Air Quality Management has produced very current documentation entitled 'Guidance on the Assessment of Dust and Emissions During Construction and Demolition'

The HSE also provide guidance on construction dust as do the CITB through the Construction Dust Partnership.

7. The effectiveness of the development's design in ensuring that a nuisance is not created is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should therefore fully appreciate the importance of obtaining competent professional advice.

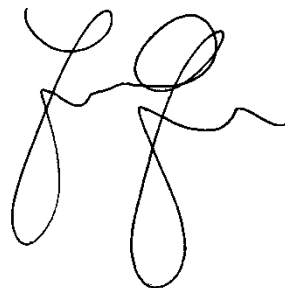
In all cases, the Authority in conjunction with Northumberland County Council retains its right under Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

8. This planning permission is granted subject to a legal agreement under section 106 of the Town and Country Planning Act 1990 dated 18th March 2020.

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 March 2020**



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).**