

Reference No. 20NP0068

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Mr Michael Rathbone
Architectural & Surveying
5 Church Hill
Chatton
Alnwick
Northumberland
NE66 5PY

Applicant :

Mr Neil Carmichael
Dunshiel Farm
Dunshield Drive
Elsdon
NE19 1AQ

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

Proposed refurbishment of existing cottage and farmhouse incorporating change of use of adjacent granary and cart shed to form part of the residential farmhouse accommodation at Dunshiel Farm, Dunshield Drive, Elsdon, Northumberland, NE19 1AQ

as described in application reference **20NP0068** 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 5th November 2020;
- Location Plan, Issue 1, Sheet LP, Dwg No. 02/20 received 5th November 2020;
- Site Plan, Issue 1, Revision 1, Sheet SP, Dwg 02/20 received 5th November 2020;
- Existing Floor Plans, Issue 1, Sheet 1, Dwg No. 02/20 received 3rd September 2020;

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- Existing Elevations, Issue 1, Sheet 2, Dwg No. 02/20 received 3rd September 2020;
- Proposed Floor Plans, Issue 1, Sheet 3, Dwg No. 02/20 received 3rd September 2020;
- Proposed Elevations, Issue 1, Sheet 4, Dwg No. 02/20 received 3rd September 2020;
- Farmhouse Section A, Issue 1, Sheet S1, Dwg No. 02/20 received 3rd September 2020;
- Farmhouse Section B, Issue 1, Sheet S2, Dwg No. 02/20 received 3rd September 2020;
- Site Plan, Bat Mitigation, Issue 1, Sheet SP – M, Dwg No. 02/20, received 16th December 2020;
- Bat and Bird Mitigation, Issue 1, Sheet 4 – MP, Dwg no. 02/20 received 16th December 2020;
- Phase 1 Preliminary Risk Assessment, Proposed Residential Development Dunshiel Farm, Geol Consultants Ltd., received 5th November 2020;
- Foul Drainage Assessment received 5th November 2020;
- Non-mains Drainage Statement, received 5th November 2020;
- Sewer Map received 5th November 2020;
- Planning Statement, Dunshiel Farm, Michael Rathbone, Received 5th November 2020;
- Bat Survey Report, Dunshiel Farm House, Version 3, 20/11/2020, RH Ecological Surveys, received 16th December November 2020;

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 ST1, ST2, ST4, DM2, DM6, DM10, DM11 and DM14 of the Northumberland National Park Local Plan and the National Planning Policy Framework (NPPF).

3. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

Reason: To ensure that risks from land contamination to the future users of the land and accommodation are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants in accordance with Local Plan policy ST2 and the NPPF.

4. The development hereby approved should be carried out in strict accordance with the proposed mitigation measures detailed within Appendix 1 of the 'Bat Survey Report, Dunshiel Farm House, Version 3, 20/11/2020, RH Ecological Surveys', received 16th December November 2020 Report and shown on drawings 'Site Plan, Bat Mitigation' and 'Bat and Bird Mitigation' received on 16th December 2020. In particular, attention is drawn to the need to undertake the development in accordance with the requirements of, but not limited to, the following:

- Tool box talk for contractors;
- Replacement of lost roost with bat tube;
- Retention of roosts;
- Provision of two bat tiles;
- Installation of a Schwegler 2F bat box prior to works commencing;
- Supervision of work by the project ecologist;
- Nesting check for birds if works undertaken between March-August;
- Provision of bird nesting box.

Reason: To ensure the development poses no risk of unacceptable harm to protected species and to ensure the development is in accordance with Local Plan policy DM10, the National Planning Policy Framework (NPPF) and the Conservation of Habitats and Species Regulations (as amended).

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 a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

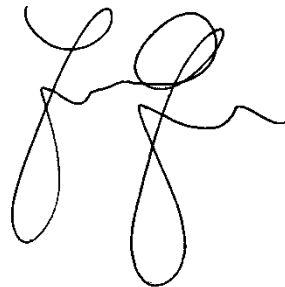
Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

4. 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.
5. 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.
6. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

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 January 2021**



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).**