

Reference No. 20NP0070

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Rural Solutions c/o Lisa Allison
Canalside House
Brewery Lane
Skipton
BD23 1DR

Applicant :

c/o Rural Solutions
Canalside House
Brewery Lane
Skipton
BD23 1DR

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

Application for a small extension to the approved replacement dwelling at Evistones Cottage, Rochester, Newcastle Upon Tyne, Northumberland, NE19 1RY.

as described in application reference **20NP0070** 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 7 September 2020
 - Location plan 3317 001f received 9 September 2020
 - Contaminated land assessment received 7 September 2020
 - Heritage Statement received 7 September 2020
 - Visual Study received 7 September 2020
 - Drainage philosophy received 7 September 2020
 - Drainage plans 18T1690-180-P2 and 18T1690-181-P2 received 7 September 2020
 - Foul drainage assessment form received 7 September 2020
 - Planning statement received 7 September 2020
 - Proposed Layout (plan reference: 3317 040 Rev B) received 7 September 2020 ;

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- Proposed Site Plan (plan reference: 3317 041 Rev B) received 7 September 2020 ;
- Overall Site Plan (plan reference: 3317 042 Rev B) received 7 September 2020 ;
- Cottage elevations (plan reference: 3317 044 Rev B) received 7 September 2020;
- Proposed roof plan (plan reference: 3317045 Rev B) received 7 September 2020;
- Ecological Mitigation Plan (plan reference: 3317046 Rev B) received 7 September 2020;
- Ecological Appraisal and Bat Survey received 7 September 2020
- Landscape Master Plan Rev D received 7 September 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 Local Plan policies ST1, ST2, ST4, ST5, DM2, DM10, DM11, DM12 and the National Planning Policy Framework (NPPF).

3. The fixing of external lighting shall be carried out in accordance with those details approved under application 19NP0092. Prior to the fixing of any additional external lighting or change to the approved lighting specification, full details shall be submitted to, and agreed in writing by, the Local Planning Authority. Details of additional lighting / change to approved specification 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 thereafter, unless removed entirely.

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 Local Plan policy DM11 and paragraph 180 of the NPPF.

4. The development hereby approved should be carried out in strict accordance with the avoidance and mitigation strategy detailed in Section G of the 'E3 Ecology Ltd Ecological Appraisal and Bat Survey, Evistones Cottage, Rochester – February 2019 Final', drawing 'Proposed Ecological Mitigation Plan', Drawing number 046 Rev A and letter from e3 Ecology Ltd – re: larger

bat loft provision dated 21st Feb 2020 . In particular, attention is drawn to the need to undertake the development in accordance with the requirements in respect of:

- Timing
- Bat boxes
- Bat crevices
- Barn Owl box
- Artificial nest sites for swallows

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 Local Plan Policy DM10, the National Planning Policy Framework (NPPF) and the Conservation of Habitats and Species Regulations (as amended).

5. The development hereby approved shall be constructed using only natural stone and natural slate.

Reason: In order to preserve the proposed high quality design of the buildings in accordance with Local Plan policies ST2 and DM2 and the National Planning Policy Framework (NPPF).

6. The ridge height of the cottage hereby approved shall be no higher than 6.9 metres from existing ground level.

Reason: In order to preserve the visual appearance and amenity of the area, and the special qualities of the National Park, in accordance with Local Plan policies ST2 and DM2 and the National Planning Policy Framework (NPPF).

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other Order revoking or re-enacting the Order), no development permitted by Classes A,B,C,E, of Schedule 2 Part 1 of the Order shall be carried out without the approval of a formal application to the Local Planning Authority.

Reason: To prevent subsequent development from resulting in an overdevelopment of the site, or causing harm in terms of neighbouring residential amenity, visual amenity or from impacting upon the special qualities of the National Park, in accordance with Local Plan policies ST1, ST2, ST4, ST5, DM2 and DM11, and the NPPF.

8. Prior to the first occupation of Evistones Cottage, a scheme for the provision of a sufficient and wholesome supply of water to the development shall be



submitted to and agreed in writing, by the local planning authority. The scheme shall specify the provisions to be made to ensure that there will be a sufficient quantity and quality of water to serve both the new development and any existing consumers already on the supply (based on an average household consumption of 146 litres per person per day or such other quantity as may be required by any non-domestic water usage).

Reason: In the interest of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirement of the development in accordance with Local Plan policy ST2 and the NPPF.

9. 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 buildings shall not be occupied or brought into use 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 Local Plan policies ST1 and ST2 and the NPPF.

10. For the avoidance of doubt this permission relates only to the development associated with the replacement dwelling within the red line boundary outlined on Location Plan 3317 001 f received 9th September 2020.

Reason: To enable the Local Planning Authority to adequately manage the development and to ensure the proposal accords with Local Plan policies ST1, ST2, ST4, ST5, DM2, DM10, DM11, DM12 and the National Planning Policy Framework (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 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.

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: **27 October 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).