



Reference No. 16NP0053

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Butler Haig Associates
Unit 11 South Acomb
Bywell
Stocksfield
NE43 7AQ

Applicant :

Messrs Walton
Burnbank Farm
Greenhaugh
TARSET
NE48 1LY

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

Construction of five two storey detached dwellings including new access from highway and internal circulation roads at Burnbank, Tasset, Hexham, Northumberland, NE48 1LY.

as described in application reference **16NP0053** 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 and to comply with Section 91 (as amended) of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be maintained in accordance with the following approved plans and documents:

- Application form received on 25/05/16
- Sustainability, design and access statement received on 25/05/16
- Ecological report for Burnbank, Greenhaugh (revised 2015) by George Dodds received on 25/05/16
- BB/08/LP/01 Location plan received on 25/05/16
- BB/08/PSP/03 Proposed block plan received on 25/05/16
- BB/08/PSW/04 Proposed surface water plan received on 25/05/16

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- BB/08/PSP/06 Proposed site plan received on 25/05/16
- BB/08/PSS1/07 Short sections received on 25/05/16
- BB/08/PSS2/08 Short sections received on 25/05/16
- BB/08/PLS/09 Long sections received on 25/05/16
- BB/08/PCS/10 Combined sections received on 25/05/16
- BB/08/PPE/11 House type 2, Plot 1 received on 25/05/16
- BB/08/PPE2/12 House type 2, Plot 2 received on 25/05/16
- BB/08/PPE3/13 House type 1, Plot 3 received on 25/05/16
- BB/08/PPE4/14 House type 1, Plot 4 received on 25/05/16
- BB/08/PPE5/15 House type 2, Plot 5 received on 25/05/16

Reason: For the avoidance of doubt, to enable Northumberland National Park Authority to adequately control the development and to conform with Policies 1, 3, 5, 6, 9, 10, 12, 17, 18, 19, 20, 22, 25 and 27 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework

3. Prior to the commencement of development, details of the design and materials of the proposed boundary treatments and recycling and refuse stores shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the boundary treatments shall be installed in accordance with the locations set out in drawing BB/08/PSP/06 received on 26th May 2016 and shall be implemented in full prior to the first occupation of that dwelling. The development shall be carried out in full accordance with the approved details.

Reason: To ensure that the boundary treatments and stores used are appropriate in the context of the design of the development and its surrounding area and for the development to accord with NNPA Core Strategy policies 1 and 3, the NNPA Building Design Guide SPD and Chapter 6 of the NPPF.

4. Prior to the construction of the first dwelling, a hard landscaping scheme to include details of all hard landscaping and hard surfacing on the site shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include specific details of proposed materials and locations for hard landscaping and in all external areas of the site. The hard landscaping shall be carried out in accordance with the approved details.



Reason: In the interests of protecting the visual character of the area, in accordance with policies, 1, 3 and 20 of the Core Strategy and the NPPF.

5. Prior to the construction of the first dwelling, a soft landscaping scheme to include details, including exact locations, species and specifications of all trees, shrubs and other soft landscaping on the site shall be submitted to, and approved in writing by, the Local Planning Authority. The soft landscaping shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the visual character of the area in accordance with Core Strategy Policies 1, 3 and 20 and the NPPF.

6. Prior to the construction of the first dwelling, a scheme to provide native hedge along the northern and eastern boundaries of the site shall be submitted to the LPA in writing, with locally native species composition to be detailed as part of this scheme. The hedge shall be provided on site in accordance with the approved scheme, within the first planting season (October – April) following the commencement of the construction of the first dwelling on site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the loss of part of an existing hedge is adequately compensated for, in line with the recommendations of the submitted ecological survey, and in order to conserve the biodiversity of the National Park in accordance with Core Strategy Policy 17 and Chapter 11 of the NPPF.

7. Prior to the commencement of each dwelling (or agreed group of dwellings), a detailed and accurate specification of measures to support roosting bats and/or breeding house martins within the site for each dwelling (or agreed group of dwellings) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to provide an adequate level of compensation for the loss of feeding habitats for birds and bats, in line with the recommendations of the submitted ecological survey, to ensure that the biodiversity of the National Park is conserved in accordance with Core Strategy Policy 17 and Chapter 11 of the NPPF.

8. Any site clearance or ground disturbance should not be undertaken in the bird breeding season (March-August), unless a checking survey has first been



undertaken by a suitably qualified ecologist and any birds that are found to be nesting being allowed to finish nesting before such work commences.

Reason: To ensure that ground nesting birds on the site are protected and for the development to accord with NNPA Core Strategy Policy 17 and Chapter 11 of the NPPF.

9. No development shall take place until a programme of archaeological evaluation has been carried out by a suitably qualified archaeological professional and submitted to and approved in writing by the local planning authority. If the results of this evaluation deem it to be necessary, then an archaeological trial trenching comprising of 5% of the area of the site to be developed should also be carried out, with the results of this submitted to and approved in writing 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 ensure that cultural heritage of the historic village of Greenhaugh is not adversely affected by the development, having regard to Core Strategy policies 1, 3 and 18 and the NPPF.

10. Prior to the installation of any external lighting on each dwelling (or agreed group of dwellings), a detailed lighting scheme shall be submitted to, and approved by, the Local Planning Authority, to include:

- The specific location of all external lighting units
- Design of all lighting units design
- Details of beam orientation and lux levels across the site
- Any proposed measures such as motion sensors and timers that will be used as part of lighting units

The development shall be carried out in full accordance with the approved lighting scheme thereafter, unless external lighting is removed in its entirety.

Reason: In order to conserve the tranquillity and intrinsically dark character of the National Park, in accordance with Policies 1, 17 and 19 of the Core Strategy and paragraph 125 of the NPPF.



11. Development shall not commence until a Construction Method Statement 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 shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. measures to control the emission of dust and dirt;

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

12. The development shall not be occupied until the car parking areas indicated on *BB/08/PSP/06*, received on 25/05/16, have been surfaced. Thereafter, the car parking areas shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that there is adequate space within the site for the parking of vehicles, in the interests of highway safety, in accordance with NNPA Core Strategy Policy 3 and the NPPF.

13. Each dwelling shall not be occupied until the means of vehicular access serving that property has been constructed in accordance with the approved plans.

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

14. Prior to the commencement of development hereby approved, samples of the natural stone and natural slate to be used for the external facing and roofing materials to be used in the construction of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be consistent throughout the whole of the development site and shall comprise natural stone (not reconstituted stone) and 'natural' slate (not imported slate) unless otherwise agreed in writing by the Local Planning Authority. The dwellings shall be constructed in accordance with the approved samples.



Reason: To ensure that the materials used in the construction of the development are appropriate in the context of the design of the development and its surrounding area and for the development to accord with NNPA Core Strategy policies 1, 3 and 20, the NNPA Building Design Guide SPD and Chapter 6 of the NPPF.

15. Prior to the commencement of each dwelling (or agreed group of dwellings), precise details of renewable energy measures for generating energy from decentralised renewable and/or low carbon sources (as defined in Annex 2 of the National Planning Policy Framework) shall be submitted to, and formally approved in writing by, the Local Planning Authority. The information submitted should establish accurate details of the predicted energy requirements for each unit and demonstrate how the proposed renewable energy measures will maximise renewable and low carbon energy sources within the development. The approved renewable energy measures required for each dwelling shall be implemented in full before the first occupation of that dwelling.

Reason: To ensure that appropriate renewable energy and/or low carbon energy measures are included, in line with NNPA Core Strategy policies 1, 2 and 25 and Chapter 10 of the NPPF.

16. Unless otherwise agreed in writing with the Local Planning Authority, construction works shall not take place outside the hours of 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1700 hours on Saturdays. Construction works shall not take place on Sundays or Bank Holidays.

Reason: In the interests of residential amenity of the occupiers of existing neighbouring properties and to accord with Policy 3 of the Core Strategy and the NPPF.

17. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

- a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible



pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

c) Thereafter, a written method statement detailing the remediation requirements for the land contamination and/ or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority. If during redevelopment contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing the scheme for dealing with the suspect contamination has been submitted to an approved in writing by the Local Planning Authority.

d) Two full copies of a full closure report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that any contaminants within the site are dealt with in an appropriate manner to afford protection to the public, in accordance with Core Strategy Policy 3 and the NPPF.

18. If during development contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall 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 the contamination have been carried out.

Reason: To protect the environment and ensure that the remediated site is reclaimed to an appropriate standard, in accordance with Core Strategy Policy 3 and the NPPF.

19. No building hereby permitted shall be occupied until details of soakaways and/or sustainable drainage systems for surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the submitted details.

Reason: To ensure that surface water can be adequately discharged from the site without the development creating a negative impact in terms of localised flooding or pollution and to accord with Core Strategy policies 1, 3, 17 and 27 and the National Planning Policy Framework.

20. 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 Class E of 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 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, will constitute unauthorised development and may be liable to enforcement action.
 - (b) You or 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 planning 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. If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
 - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - (b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

3. **Northumberland County Council Highways – New vehicle crossing point, Type Access A, (s.184)**

You should note that under the Highways Act 1980, vehicle crossing points are required. These works should be carried out before first use of the development. To arrange the installation of a vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact Northumberland County Council Highways Planning on 01670 620295.

4. A copy of the specification for NCC standard access Type 'A' is included with the decision notice.



5. **Northumberland County Council Highways – Reminder to not store building material or equipment on the highway**

Building materials or equipment shall not be stored on the highway unless otherwise agreed with the Highway Authority (Northumberland County Council). You are advised to contact the NCC Street Works Team on 0345 600 6400 for skip and container licences.

6. This planning permission is granted subject to a legal agreement under section 106 of the Town and Country Planning Act 1990.



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: 9 September 2016

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 the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he or she may by notice served within six months of the date of this notice, appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990. Notice of Appeal may be submitted electronically via www.planningportal.gov.uk/pcs or on the Planning Appeal Form which may be obtained from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. 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.
- (2) 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.
- (3) In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
- (4) Please note that only the applicant has the right to appeal. Third parties have no right to appeal against a planning decision.