

Reference No. 20NP0075

**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
Northumberland
NE43 7AQ

Applicant :

Messrs Walton
Burnbank Farm
Greenhaugh
Tarset
Northumberland
NE48 1LY

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

Vary the Section 106 attached to 16NP0053 with respect to removing local needs occupancy and replacing with principal needs occupancy at Burnbank Farm, Greenhaugh, Tarset, Northumberland, NE48 1LY

as described in application reference **20NP0075** and in the plans and drawings attached to it, subject to the following conditions:

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

- Application forms received on 25/05/16 and 20/09/2020
- 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
- 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

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- 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 Local Plan Policies ST1, ST2, ST4, ST5, DM9, DM10, DM11, DM12, DM14, DM15 and the National Planning Policy Framework

2. The development shall be carried out in accordance with the details of the design and materials of the boundary treatments, recycling and refuse stores as approved under planning reference 18NP0010.

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 Local Plan policy ST2.

3. The development shall be carried out in accordance with the hard landscaping scheme approved under planning reference 18NP0010.

Reason: In the interests of protecting the visual character of the area, in accordance with Local Plan policy ST2.

4. The development shall be carried out in accordance with the soft landscaping scheme approved under planning reference 18NP0010

Reason: In the interests of protecting the visual character of the area in accordance with Local Plan policy ST2.

5. The development shall be carried out in accordance with the scheme to provide native hedge along the northern and eastern boundaries of the site approved under planning reference 18NP0010. The hedge shall be provided on site in accordance with the approved scheme, prior to the first occupation of any of the approved dwellings on site.

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 Local Plan policies ST1, ST2 and DM10.

6. Prior to the commencement of each dwelling (or agreed group of dwellings) above damp proof course level, 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 Local Plan policies ST1, ST2 and DM10.

7. 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 Local Plan policies ST1, ST2 and DM10.

8. 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 Local Plan policy DM11 and para 180 of the NPPF.

9. Development shall be carried out in accordance with the Construction Method Statement approved under planning reference 18NP0010. The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Local Plan policy ST2 and DM9 and the NPPF.

10. 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 Local Plan policies ST2 and DM9 and the NPPF.

11. The development shall not be occupied until the two means of vehicular access have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with Local Plan policies ST2 and DM9 and the NPPF.

12. Prior to the commencement of each dwelling (or agreed group of dwellings) above damp proof level, 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 Local Plan policy ST2.

13. Prior to the commencement of each dwelling (or agreed group of dwellings) above damp course level, precise details of renewable energy measures for generating energy from decentralised renewable and/or low carbon sources 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 Local Plan policies ST1 and ST2 and the NPPF.

14. 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 Local Plan policy ST2 and the NPPF.

15. The site shall be remediated in accordance with the measures and timescale approved through planning reference 18NP0098 and a verification report that shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation, including timescales for the work to be carried out, shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within ten days of the report being completed and approved in writing by the local planning authority.

Reason: To protect the environment and ensure that the remediated site is reclaimed to an appropriate standard, in accordance with Local Plan policy ST2 and the NPPF.

16. 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 Local Plan policies ST1 and ST2 and the National Planning Policy Framework.

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: 23rd February 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).**