

Reference No. 20NP0104

TOWN AND COUNTRY PLANNING ACT 1990

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

Agent :

Mr Harry Tonge
Steven Abbott Associates LLP
130 Highgate
Kendal
LA9 4HE

Applicant :

Mr G Varty
C/O Agent
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Change of use of land for the siting of 4 chalets for holiday accommodation with raised timber decking, and associated engineering operations involving the formation of 4 platforms and provision of a car parking area on Land east of Donkleywood, Hexham, Northumberland, NE48 1AQ

Under the above Act, Northumberland National Park Authority hereby **REFUSES TO PERMIT** the carrying out of the development described above and in application reference **20NP0104** and in the plans and drawings attached thereto.

The reasons for the Authority's decision to **refuse** permission for the development are:

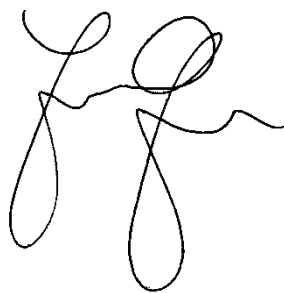
1. The proposal fails to accord with the Authority's spatial strategy which requires development within the open countryside to demonstrate an essential need for it to be located in an unsustainable rural open countryside location. As such the proposal would not constitute sustainable development, contrary to policies ST1, ST4 and DM7 of the Northumberland National Park Local Plan.
2. The proposed cabins and associated development by virtue of their scale, siting and setting would not sit comfortably within the natural topography of the site. The engineering platforms required to accommodate the proposed lodges would require substantial engineering works that would not be in keeping with the local character and quality of the landscape. As such the proposal would adversely impact on the special qualities of the National Park contrary to policies ST1, ST2, DM7 and DM11 of the Northumberland National Park Local Plan and the National Planning Policy Framework.

3. The access arrangement to the proposed cabins which are a considerable distance from the proposed car park, combined with the topography and terrain of the unmade track is not considered to be of an accessible nature. As such the proposal conflicts with the requirements of Policies ST2 and DM9 of the Northumberland National Park Local Plan which require an accessible environment for all potential users.

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 Local Plan adopted July 2020. Regrettably, despite the positive and proactive approach taken by the Local Planning Authority, the proposal does not constitute sustainable development for the reasons set out above.

Dated this: **29 July 2021**



National Park Officer

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).**