



**Reference No. 21NP0016**

**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 John and Mrs Susan Rogerson  
1 Gallow Law  
Alwinton  
Northumberland  
NE65 7BQ

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

**Proposed construction of 4no new dwellings to provide principal residence housing at Land south of Gallow Law, Gallow Law, Alwinton, Northumberland, NE65 7BQ.**

as described in application reference **21NP0016** 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 17th February 2021;
  - Location Plan, Dwg no. 15/20, Sheet 1, Issue 1, received 17th March 2021;
  - Existing Site Plan, Dwg no. 15/20, Sheet SP1, Issue 1, received 17th March 2021;
  - Proposed Site Plan, Dwg no. 55/20, Sheet 4, Issue 2, received 2nd August 2021;
  - Landscaping and Bird Boxes; Dwg no. 55/20, Sheet LA, Issue 1, received 15th June 2021;
  - Proposed Elevations Plot 1, Dwg no. 55/20, Sheet 12, Issue 1, Rev 1, received 15th June 2021;

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- Proposed Floor Plans Plot 1, Dwg no. 55/20, Sheet 11, Issue 1, Rev 1, received 15th June 2021;
- Proposed Elevations Plot 2, Dwg no. 55/20, Sheet 9, Issue 1, received 17th March 2021;
- Proposed Floor Plans Plot 2, Dwg no. 55/20, Sheet 8, Issue 1, received 17th March 2021;
- Proposed Elevations Plot 3, Dwg no. 55/20, Sheet 7, Issue 1, received 17th March 2021;
- Proposed Floor Plans Plot 3, Dwg no. 55/20, Sheet 6, Issue 1, received 17th March 2021;
- Proposed Elevations Plot 4, Dwg no. 55/20, Sheet 13, Issue 1, Rev 1, received 15th June 2021;
- Proposed Ground Floor Plan Plot 4, Dwg no. 55/20, Sheet 1, Issue 1, Rev 1, received 15th June 2021;
- Proposed First Floor Plan Plot 4, Dwg no. 55/20, Sheet 2, Issue 1, Rev 1, received 15th June 2021;
- Street Scene, Dwg no. 55/20, Sheet 10, Issue 1, received 17th February 2021;
- Type A Light Vehicle Use Plan, received 17th March 2021;
- Planning Statement, Land South of Gallow Law, received 15th June 2021;
- Heritage Statement, Land South of Gallow Law, received 17th March 2021;
- Phase 1 Preliminary Contamination Risk Assessment, Land Adjacent to Gallow Law, GEOL Consultants Ltd., received 17th February 2021;
- Preliminary Ecological Appraisal, Land to the south of Gallow Law, RH Ecological Services, December 2020; Received 17th February 2021;
- RSPB Sparrow Terrace Nest Detail received 17th February 2021;
- E-mail from Michael Rathbone 10.38 17.03.2021 confirming connection to mains sewer and mains water reply; received 17th March 2021;
- Sewer Plan received 17th February 2021;
- Planning Performance Agreement, received 17th March 2021;
- Lutec Radius Round LED Outdoor Wall Light – Grey product detail received 17th February 2021;
- E-mail from applicant 20th April 2021, 12:55 confirming NCC Type ‘A’ Access to be used, received 20th April 2021;
- Sustainability Statement, received 15th June 2021;
- Daikin Air Source Heat Pump product brochure received 2nd August 2021;

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, ST3, ST4, ST5, DM3, DM9, DM10, DM11, DM13, DM14 and DM15 of the Northumberland National Park Local Plan and the National Planning Policy Framework (NPPF).



3. The dwellings hereby approved shall be used as principal residence housing only and not be used at any time as a second home or holiday accommodation.

Reason: New housing is only permitted in the National Park if it is for principal residence only and in accordance with Northumberland National Park Local Plan Policy ST5.

4. Each individual dwelling shall not be occupied until the car parking area indicated on the approved plan 55/20 Sheet 4 for that plot has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with Northumberland National Park Local Plan policy ST2 and the National Planning Policy Framework.

5. Each individual dwelling shall not be occupied until a means of vehicular access has been constructed to serve that plot in accordance with the approved plan 55/20 Sheet 4.

Reason: In the interests of highway safety, in accordance with Northumberland National Park Local Plan policies ST2 and DM9 and the National Planning Policy Framework.

6. Each individual dwelling shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with Northumberland National Park Local Plan policies ST2 and DM9 and the National Planning Policy Framework.

7. Development shall not commence on the site 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. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;



- iv. storage of plant and materials used in constructing the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Northumberland National Park Local Plan policy ST2 and the National Planning Policy Framework

8. 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 evaluative excavation informed by the geophysical survey results should also be carried out, with the results 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 Alwinton is not adversely affected by the development, having regard to Northumberland National Park Local Plan policies ST1, DM14, DM15 and the NPPF.

9. If during development of any of the site contamination not previously considered is identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. If a method statement is required, no building shall be occupied until that 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 dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants in accordance with Northumberland National Park Local Plan policy ST2 and the NPPF.

10. Unless otherwise agreed in writing with the Local Planning Authority, during the construction period of the development hereby permitted there shall be no noisy activity (i.e., audible at the site boundary) outside the hours of 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1300 hours on Saturdays. Construction works shall not take place on Sundays, Public Holidays or Bank Holidays.

Reason: In the interests of affording adequate protection to the residential amenity of the occupiers of existing neighbouring properties during the construction phase, in accordance with Northumberland National Park Local Plan policy ST2 and the NPPF.



11. Notwithstanding the details submitted, prior to the fixing of any external lighting to any of the dwellings associated with the development, full details for each plot shall be submitted to and agreed in writing by the Local Planning Authority. Details of external lighting 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 effect upon the tranquillity and intrinsically dark skies of the area, including the Northumberland International Dark Sky Park, through excessive light pollution, in accordance with Northumberland National Park Local Plan policy DM11 and the NPPF.

12. There shall be no development of any of the individual dwellings hereby approved above damp course level until samples and details and / or photographs 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 have been 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: In order to preserve and enhance the visual appearance of the area and the wider landscape character, in accordance with Northumberland National Park Local Plan policies ST1, ST2 and DM11 and the NPPF

13. Notwithstanding details already provided, prior to the commencement of each individual dwelling hereby permitted, precise details of renewable energy measures for generating energy from decentralised renewable and/or low carbon sources, for that dwelling 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 the development and demonstrate how the proposals will maximise the embedding of renewable and low carbon energy sources within the development. The approved renewable energy measures required for the 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 Northumberland National Park Local Plan policies ST1, ST2 and DM13 and Chapter 14 of the NPPF.

14. Notwithstanding the details submitted, prior to the first dwelling being developed, a hard landscaping scheme to include details of all hard landscaping, hard surfacing and boundary details 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 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 visual amenity and to ensure visual cohesiveness across the development, in accordance with Northumberland National Park Local Plan policies ST2, DM11 and the NPPF.

15. Prior to the first dwelling being developed, a soft landscaping scheme to include details, including exact locations, species and specifications of all trees, shrubs and other soft landscaping on the site including a timetable for implementation 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 Northumberland National Park Local Plan policies ST1, ST2, DM11 and the NPPF.

16. Any site clearance, ground disturbance or tree or shrub removal 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 Northumberland National Park Local Plan policies ST1, ST2, DM11 and the NPPF

17. Notwithstanding the plot specific measures required by condition 18, prior to development commencing, a detailed ecological mitigation and enhancement scheme for the site as a whole shall be submitted for approval by the Local Planning Authority. This scheme shall include full details of the ecological mitigation and enhancement measures to be delivered across the application site as well as on land in the applicant's wider landholding to the south of the site. This should include full details of:



- The location and species composition of the native hedgerow(s) to be provided to the boundary of the site as well as between individual plots;
- Number, location and species of trees and shrubs to be provided within the site and also on land to the south of the site in the applicant's wider ownership;
- Details of any measures (wetlands, ponds etc.) designed to prevent run off from the site reaching the adjacent watercourse;
- Any other site wide biodiversity mitigation / enhancement measures proposed;

The scheme should also include a timetable for the delivery of the proposed measures. The ecological mitigation and enhancement scheme shall be carried out in accordance with the approved details.

Reason: To ensure that those biodiversity mitigation and enhancement measures which to be effective are required to be delivered in a cohesive manner across the site as a whole are agreed in advance of development commencing. To protect and enhance biodiversity in accordance with Northumberland National Park Local Plan policies ST1, ST2, DM11 and the NPPF.

18. Notwithstanding the details already provided, prior to the development of each individual plot, a detailed and accurate specification of biodiversity enhancement measures to be incorporated in that plot shall be submitted for approval by the Local Planning Authority. This should include details of measures to be incorporated within the fabric of the building to support roosting bats and breeding birds together with any additional biodiversity enhancement measures proposed. The development of each plot shall be implemented in accordance with the approved details.

Reason: In order to ensure that the development delivers a proportionate level of net gain for biodiversity, in line with the requirements of Northumberland National Park Local Plan policies ST1, ST2, DM10 and the NPPF.

19. No works shall commence until a pollution prevention method statement has been submitted to, and approved by, the Local Planning Authority. This method statement shall fully detail the measures to be undertaken to ensure no adverse impact on adjacent habitats through the release of pollutants / sediments / materials from the site. All works shall be undertaken in complete accordance with the approved method statement.

Reason: To ensure that the proposals avoid harm to local habitats and species in accordance with the requirements of Northumberland National Park Local Plan policies ST1, ST2, DM10 and the NPPF.



20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows, doors or other openings shall be constructed at the first floor level of the eastern elevation of the building to be constructed on Plot 1 as shown on Proposed Site Plan, Dwg no. 55/20, Sheet 4, Issue 2, received 2nd August 2021.

Reason: To ensure that amenity is protected in accordance with Northumberland National Park Local Plan Policy ST2 and the NPPF.

21. The stone wall to the front (northern) boundary shall be constructed in accordance with approved plan 55/20, Sheet 4, Issue 1, Rev 2, prior to occupation of the dwelling on each individual plot.

Reason: To ensure that local landscape character and visual amenity of the area is protected in accordance with Northumberland National Park Local Plan policies ST1, ST2, DM11 and the NPPF.

22. No individual dwelling hereby permitted shall be occupied until that dwelling has been connected to the public sewerage system in accordance with the submitted details.

Reason: To ensure that adequate measures to deal with foul drainage are in place before each dwelling hereby approved is occupied in accordance with Northumberland National Park Local Plan policies ST1, ST2 and the NPPF.

23. For the avoidance of doubt the residential curtilage of each plot shall not extend to the south beyond the boundary outlined in red on the Location Plan, Dwg no. 15/20, Sheet 1, Issue 1, received 17th March 2021

Reason: To prevent encroachment of the residential curtilage into agricultural land to the south in accordance with Northumberland National Park Local Plan policies ST1 and ST2.

#### **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 permission 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. You should note that under the Highways Act 1980 a vehicle crossing point is 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 the Highways Area Office at:  
[northernareahighways@northumberland.gov.uk](mailto:northernareahighways@northumberland.gov.uk).
4. You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter.
5. The following highway works will be agreed under the terms of Section 278 of the Highways Act 1980: Construction of footway along the frontage of the site.
6. 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 licences.
7. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

### **Positive and Proactive Planning Statement**



Northumberland  
National Park

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: **16 August 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).