

Nicola Allan  
Nicola Allan Associates  
Dilston House Cottage  
Corbridge  
Northumberland  
NE45 5RH

Our Ref: 12/02072/FUL  
Your Ref:  
Contact: Ms Jenny Green  
Direct Line: 01670 625543  
E-Mail: [jenny.green@northumberland.gov.uk](mailto:jenny.green@northumberland.gov.uk)  
Date: 16th August 2013

Dear Sir/Madam,

### **Application to Northumberland County Council – Development Management**

I refer to your application to the above unit and enclose your approval certificate. This is an important legal document that may need to be produced, for example, if you decide to sell your property. It should therefore be safely stored.

Most approvals are subject to conditions and these are listed on the second page of the certificate. These form part of your permission and must be adhered to. Non-compliance could result in the Council taking Enforcement Action. Some conditions may require additional information to be submitted to this unit prior to the starting of any works, whilst others are ongoing, either just during the construction period and others for the life of the development. If you are uncertain about any of the conditions attached to your permission, please contact the Planning Case Officer whose details appear at the top of this page. Under the Fees for Applications Regulations 2012, there is a standard fee of £97 per request to have conditions discharged. This is reduced to £28 for Householder applications.

If you consider that you are unable to comply with any of the conditions, you do have a right to apply to the Council to have a condition removed or varied. This has to be in the form of a variation application. Alternatively you do have a right of appeal to the Planning Inspectorate (see information on reverse of certificate). In either of these circumstances, you are advised to contact the Planning Case Officer first.

Most building work will require Building Regulations approval. If you have not already applied for this, you should contact your area Building Control office at either Alnwick, Hexham or Morpeth (telephone 01670 623838, 01670 623820 or 01670 623728/724 or e mail [building.control@northumberland.gov.uk](mailto:building.control@northumberland.gov.uk)).

Finally, it would be helpful for record keeping purposes, if you could inform the planning unit prior to starting the building or other works, contact information is detailed at the top of this letter.

Yours faithfully,



Karen Ledger  
Head of Development Services

TOWN AND COUNTRY PLANNING ACT 1990(As Amended)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2010

## NOTICE OF PLANNING PERMISSION

Application No. 12/02072/FUL

Nicola Allan  
Nicola Allan Associates  
Dilston House Cottage  
Corbridge  
Northumberland  
NE45 5RH

**Proposal** Construction of two holiday chalets and installation of septic tank

**Location** Blindburn Hall Wark Hexham NE48 3HE

**Applicant** Mr And Mrs Alan Isbister  
Blindburn Hall Wark Hexham Northumberland  
NE48 3HE

*In pursuance of powers under the above Act the Local Planning Authority hereby PERMITS the development described above which should be carried out in accordance with plans and details submitted with the application subject to all conditions defined in the attached schedule.*



Karen Ledger  
Head of Development Services

16th August 2013

### NOTE

Failure to adhere to any details shown on the plans forming part of the application for which permission is hereby granted, and/or failure to comply with any conditions attached to this permission, may constitute a contravention of the provisions of the Town and Country Planning Act 1990 in respect of which enforcement action might be taken.

**(YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF)**

**Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
PDM/12/BLINDBURN/03 Proposed site plan  
PDM/09/BLINDBURN/04 Proposed floor plans  
PDM/09/BLINDBURN/05 Proposed elevations  
PDM/09/BLINDBURN/06 Proposed section  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 This permission relates to the provision of holiday accommodation. The chalets shall be occupied for holiday purposes only. The chalets shall not be occupied as a person's sole, or main place of, residence. The owner/operator of the holiday accommodation shall maintain an up-to-date register of the names of all occupiers of the chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.  
  
Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation. In accordance with Policy TM15 of the Tynedale District Local Plan.
- 4 No development shall commence until provision has been made off the highway (including off the public right of way) for a temporary storage area for materials and a temporary car park within the site to accommodate operatives and construction vehicles during the development of the site.  
  
Reason: To avoid obstruction of the adjacent highways by construction materials and operatives and construction vehicles in the interests of amenity and highway safety. In accordance with Policy GD2 of the Tynedale District Local Plan.
- 5 The area allocated for parking and manoeuvring on the submitted plan shall not be used other than for the parking and manoeuvring of vehicles in connection with the development hereby permitted.  
  
Reason: To ensure that there is adequate space within the site for the parking and manoeuvring of vehicles clear of the highway. In accordance with Policy GD2 of the Tynedale District Local Plan.
- 6 The development hereby approved shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) ref Final Report v1.3 produced by Weetwood dated April 2013 and the following mitigation measures detailed within the FRA:
  - (i) Surface water discharge will be to soakaways;
  - (ii) The site is evacuated prior to flooding occurring as per section 4.2 of the FRA;
  - (iii) Finished floor levels are set no lower than 88m above Ordnance Datum (AOD), and;

- (iv) Flood resistant/resilient measures to be used in the construction as per section 4.1.2 of the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the safety of residents during a flood event, to reduce the risk of flooding to the proposed development, and to reduce the impact of flooding on the development. In accordance with Policy GD5 of the Tynedale Local Development Framework: Core Strategy.

- 7 The development hereby permitted shall not be commenced until such time as a scheme for emergency evacuation has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure all residents can safely evacuate the site prior to flooding occurring in accordance with Policy GD5 of the Tynedale Local Development Framework: Core Strategy.

- 8 No development shall take place until a scheme for the provision and management of the buffer zone alongside the North Tyne has been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:

- (i) plans showing the extent and layout of the buffer zone
- (ii) details of any proposed planting scheme if required (for example, native species)
- (iii) details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including protection from contaminated and spoiled run-off from the development including the access track.
- (iv) details of any proposed footpaths, fencing, and restrictions to prevent lighting from affecting the buffer zone and watercourse.

Reason: To ensure the protection and enhancement of biodiversity interests within and adjacent to the site in accordance with Policy NE1 of the Tynedale Local Development Framework: Core Strategy and Policy NE27 of the Tynedale District Local Plan.

- 9 No development shall take place until a plan detailing the protection and/or mitigation of damage to populations of fresh water pearl mussel and otter, protected species under The Wildlife and Countryside Act 1981 (as amended) and Habitats Directive Annex II, and their associated habitat, during construction works and once the development is complete. Any change to operational, including management, responsibilities shall be submitted to and approved in writing by the local planning authority. The fresh water pearl mussel and otter protection plan shall be carried out in accordance with a timetable for implementation as approved.

Reason: To ensure the protection and enhancement of biodiversity interests within and adjacent to the site in accordance with Policy NE1 of the Tynedale Local Development Framework: Core Strategy and Policy NE27 of the Tynedale District Local Plan.

- 10 No development shall take place unless in accordance with the Environment Agency Pollution Prevention Guidelines ('PPG 1 General Guide to the Prevention of Pollution' 2001 and 'PPG 5 Works and Maintenance in or Near Water' 2007) and the mitigation detailed within the protected species reports ('Blindburn Hall, Wark Proposed Development Bat & Barn Owl Report - Summer 2011', Ruth Hadden 25.9.11 and 'Blindburn Hall, Wark Otter Holt Survey' Ruth Hadden, 15.3.12) and as shown on the architect's plans including adherence to timing and spatial restrictions (no night time or floodlit working; timing of works to be outside of the bat hibernation period (November to March inclusive); no machinery, materials, oils, fuels to be used or stored on the site other than in the working area of the site east of the existing wall and outside of the tree root protection area; adherence to precautionary working methods and Method Statement; adherence to recommendations regarding tree works; permanent erection of 3No. double-chambered bat boxes (as specified) in trees within the ownership/control of the applicant within 20m to the south west of the chalets; use of 'bat friendly' timber treatments; adherence to external lighting recommendations; all water tanks to be covered. In the event that development does not start before the end of September 2013 then an updating bat survey must be undertaken with any resulting amended mitigation or avoidance measures to be agreed in writing with the local planning authority before development begins.

Reason: To maintain the favourable conservation status of protected species. In accordance with Policy NE1 of the Tynedale Local Development Framework: Core Strategy and Policy NE27 of the Tynedale District Local Plan.

- 11 No development, vegetation or tree removal shall be undertaken between 1 March and 31 August unless an ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law. In accordance with Policy NE1 of the Tynedale Local Development Framework: Core Strategy and Policy NE27 of the Tynedale District Local Plan.

- 12 No demolition, development or tree removal or pruning shall be carried out unless in accordance with the recommendations set out in the tree report 'Arboricultural Method Statement for Trees at Blindburn Hall, Wark' All about Trees, 10.8.12 and in accordance with the guidelines set out in 'Bats in the Context of Tree Works - Guidance Note No.1' Arboricultural Association, 2011 and to include no construction or demolition works, storage or use of machinery, materials, oils or fuels to the west of the existing western boundary wall or within the identified and fenced tree protection zone.

Reason: To protect the retained trees, riparian habitat and to maintain the favourable conservation status of protected species. In accordance with Policy NE1 of the Tynedale Local Development Framework: Core Strategy and Policy NE27 of the Tynedale District Local Plan.

- 13 No development shall be commenced until a landscaping scheme has been submitted to, and approved in writing by, the local planning authority. The landscaping scheme shall include details of shrub and tree planting including replacement tree planting; and details of all walls, fences, boundary and surface treatment to be provided within the application site. The landscaping scheme shall be carried out in accordance with the details approved not later than the next planting season immediately following the commencement of development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

Reason: In the interests of the appearance of the area. In accordance with Policy NE1 of the Tynedale Local Development Framework: Core Strategy.

- 14 All trees within, and to the boundaries of, the site identified on either the approved tree survey or the approved application plans as being retained, shall be retained and protected throughout the course of development in accordance with a detailed scheme of works which shall first be submitted to, and approved in writing by, the local planning authority. These measures shall be implemented in complete accordance with the approved scheme and shall remain in place throughout the course of the construction of the development, unless otherwise approved in writing with the local planning authority. Any trees removed without the written consent of the local planning authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last chalet shall be replaced with trees of such size, species in a timescale and in positions as may be approved in writing by the local planning authority.

Reason: To ensure the protection of existing trees in the interests of visual amenity in accordance with the provisions of Policy NE1 of the Tynedale Local Development Framework: Core Strategy..

- 15 Notwithstanding the information given in the application, a Lighting Plan showing the location of all proposed outdoor lighting fixtures, both freestanding within the application site and on the exterior of the chalets, shall be submitted to, and approved in writing by, the Local Planning Authority before the first chalet is first brought into use.

The Lighting Plan shall include the proposed hours of use for the lighting, the type of lighting to be used and an indication of the areas of to be illuminated. Any external lights on the chalets shall be set on a motion detector and short timer and shall be positioned in such a way that the light does not shine on the banks of the River North Tyne. The lighting shall thereafter be installed in accordance with the agreed details and no further external lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of local residents and to protect species that are protected by law. In accordance with Policies GD2 and NE27 of the Tynedale District Local Plan and Policy NE1 of the Tynedale Local Development Framework: Core Strategy.

In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in paragraph 187 of the National Planning Policy Framework.

## Notes to Applicant

1. The emergency evacuation plan should include the following details:
  - How flood warnings/alerts are received
  - Who receives the warnings/alerts
  - Who has the responsibility for checking river levels
  - How they are passed on to all residents
  - Where residents can find safe ground
  - What route they take to reach safe ground

The Environment Agency's flood warning service cannot be solely relied upon and as such the management or whoever is responsible for the emergency action plan being implemented, must consider other methods of receiving flooding information.

2. Survey licence requirements

A licence will be required from Natural England to survey for, and, where any proposals are made as a last resort, to re-locate legally protected species. For further information and guidance on UK protected species and licensing can be found under the DEFRA web pages for the Wildlife and Countryside Act 1981.

3. Septic tank requirements

The soakaway dimensions have been sized for 3 person occupancy only. The Environment Agency recommend that this should be reconsidered and be based on maximum occupancy to ensure the system will operate properly.

The site must be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water. Regard should also be had to the conditions set out in the Environment Agency's Regulatory Position Statement for small sewage discharges. This is available on their website at: <http://www.environment-agency.gov.uk/homeandleisure/118753.aspx>.

4. Birtley Public Bridleway no. 6 and Public Byway no. 32 must be protected throughout the development. No action should be taken to disturb the path surfaces without prior consent from the Council as Highway Authority, obstruct the paths or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided. Further advice can be obtained from the Council's Countryside Support Section on 0845 600 6400.

5. Refuse collection

The chalets would be serviced by a van as opposed to a normal refuse wagon due to the restricted access road. This means that refuse would be collected once a fortnight (10 bags maximum). No recycling service would be provided for this development due to the restricted access road. The two chalets should suitable access for bin storage. As an alternative the refuse may be brought to the start of the access road. Further advice on refuse collection can be obtained from the Council's Senior Refuse Team Leader, Peter Daley, on 01670 652281 or email: [peter.daley@northumberland.gov.uk](mailto:peter.daley@northumberland.gov.uk).

## NOTES

- 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 First Secretary of State under section 78 of The Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development that is already the subject of an enforcement notice, if you want to appeal against your local planning authorities decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and 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 service of the enforcement notice, or within six months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.
- If you want to appeal, then you must do so within six months of the date of this notice (if this is a decision to refuse planning permission for a householder application, 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) using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs) .
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### **Purchase Notices**

- If either the local planning authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.