

Peter Ninnim

From: "Robbie, Graeme" <Graeme.Robbie@northumberland.gov.uk>
To: "Peter Ninnim" <peterninnim@tacanal.fsnet.co.uk>
Sent: 17 January 2011 16:42
Subject: RE: Ref Number 20080113
Peter,

Thanks for your e-mail regarding the planning permission, reference 20080113, relating to the development of 5 dwellings on the site known as land adjacent to South Vale, Edens Lawn, Haltwhistle.

Taking each of your points (relating to the condition numbers on the approval certificate) in turn:-

1.

By virtue of sec.56(1) (of the 1990 Act) development of land is taken to be initiated:

(a) if the development consists of the carrying out of operations, at the time when those operations are begun;

Sec.56(2) provides that development shall be taken to be begun on the earliest date on which any material operation comprised in the development begins to be carried out. The effect of sec.56 is that permissions may be kept alive indefinitely, viz. remain legally extant and capable of full implementation despite expiry conditions if works or actions to implement them have commenced. These so-called material operations are listed at sec.56(4) as:

a) any work of construction in the course of erection of a building;

aa) any work of demolition of the building;

b) the digging of a trench which is to contain the foundations, or part of the foundations of any building;

c) the laying of any underground main pipe to the foundations or part of the foundations of a building, or to any such trench mentioned in para.(b).

d) any operation in the course of laying out or constructing a road or part of a road;

e) any change in the use of the land which constitutes material development.

These criteria give an indication of what may constitute material operations for the purposes of implementing a planning permission. Clearing the site (of vegetation) wouldn't be classed as a material operation, but if the levels were to be created (or at least excavations carried out to start creating the levels), foundations partly dug, then this would potentially constitute commencement.

4 & 15

The information on the two drawings quoted would form the basis for information required under condition 4 (and condition 15), but would need details of planting mix, species, centres, numbers of plants, etc. The wall details would also be required and drawing 1745/00/A doesn't show wall details, other than their general alignment. I would expect this level of detail to include an elevation extract and confirmation / sample of materials for the wall.

11.

We would need confirmation of materials and samples (or sample boards). The materials, even if agreed to discharge the condition, could be re-submitted if you have a change of mind about the exact details of the materials.

17.

Noted - we would need sight of this to be able to confirm with Highways to discharge this condition.

I hope that this is of assistance and clarifies the situation.

Regards

Dave

17/01/2011