



# Northumberland County Council

Ms W Fabian  
Codlaw Dene  
Hexham  
NE46 4HG

Our Ref: 19/00247/FUL  
Your Ref:  
Contact: Mrs Katherine Robbie  
Direct Line: 01670 622633  
E-Mail:  
katherine.robby@northumberland.gov.uk  
Date: 10th July 2019

Dear Sir/Madam,

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

The Council has considered your application for planning permission and I regret to inform you that planning permission has been refused. The decision notice is enclosed. Please keep this in a safe place as you may need it again.

The decision notice sets out the reason why planning permission was refused and contains details of how to appeal to the Secretary of State against the Council's decision.

It may be that it is possible to amend the proposal in such a way that a more favourable decision can be made, and before lodging an appeal you may wish to contact the case officer to discuss the potential for changes to the proposal to address the reasons for refusal. The Council does levy a charge for advice of this nature but this does provide you with informed advice that may make a new application more likely to succeed or prevent you from incurring the costs involved in making a further application which may be abortive.

You may be able to submit a planning application for an essentially similar proposal within 12 months of the date of the refusal notice without having to pay a further planning application fee. However, this will not apply if this refusal relates to a resubmitted application where no fee has been paid.

**Please note:** This decision relates to planning permission only. If you have applied for approval under the Building Regulations for the works this decision will be issued separately. You should also note that any approval given in respect of the Building Regulations does not allow you to carry out any works that have been refused planning permission.

If you require any further information please contact the Development Management Service and ask for Mrs Katherine Robbie.

Yours faithfully,

**Rob Murfin**  
**Director of Planning**



# Northumberland County Council

TOWN AND COUNTRY PLANNING ACT 1990(As Amended)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015

## NOTICE OF REFUSAL OF PLANNING PERMISSION

Application No. 19/00247/FUL

Ms W Fabian  
Codlaw Dene  
Hexham  
NE46 4HG

- Proposal** Construction of a publicly accessible landmark, commissioned to commemorate Queen Elizabeth II and the Commonwealth.
- Location** Land At Cold Law Kirkwhelpington Northumberland
- Applicant** Viscount T Devonport  
The Ray Estate Office Lynnheads Barn West Woodburn Hexham NE48  
2TU

*In pursuance of powers under the above Act the Local Planning Authority hereby REFUSES to permit the development described above for the reasons given in the attached schedule.*

**Rob Murfin**  
**Director of Planning**

10th July 2019

(YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF)

**Application No.** 19/00247/FUL

**Schedule of Reasons for Refusal**

1. The proposal results in development in the open countryside which fails to recognise the intrinsic character and nature of the countryside in this location and is therefore contrary to paragraph 170 of the NPPF and Policy NE1 of the Tynedale Local Development Framework Core Strategy.

## 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 or a decision to refuse planning permission for a minor commercial 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.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate).
- 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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](http://www.gov.uk)