

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning & Compensation Act 1991)**

BREACH OF CONDITION NOTICE

ISSUED BY: The Northumberland National Park Authority (“the Authority”)

**TO: Ms Nicola Jane Carruthers
10 Amesbury Close
Abbey Grange
Newcastle upon Tyne
NE5 1PY**

1. THIS NOTICE is served by the Authority, under section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Authority considers that you should be required to comply with the condition specified in this notice. **The Annex at the end of this notice contains important additional information.**

2. THE LAND TO WHICH THE NOTICE RELATES

Beeswing Lodge, Elsdon, Newcastle upon Tyne, NE19 1AP, outlined in red on the attached plan.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Authority on 11 December 1992 under reference 92NP0011 (also known as application 92/A/387) for the “*Conversion of farm building to holiday cottage* at Billsmoorfoot Caravan Site, Billsmoorfoot, Elsdon, Newcastle upon Tyne, NE19 1AP”, outlined in red on the attached plan.

4. THE BREACH OF CONDITION

The following condition has not been complied with:

Condition 4 of application 92NP0011 states:

The permission hereby granted is for the purpose of the provision of holiday accommodation only and the unit shall not be occupied for any purpose for a period of four weeks from 14 January in any year.

The condition was placed in order to prevent the unit being occupied as a permanent dwelling.

Following investigations and the submission and refusal of planning application reference 16NP0077, which sought to remove condition 4 of 92NP0011, it has been established that Beeswing Lodge has been occupied as a permanent residential dwelling since December 2015. An independent Planning Inspector dismissed a subsequent appeal against the Authority's decision to refuse planning application 16NP0077 and considered that condition 4 of application 92NP0011 should be upheld. The use of Beeswing Lodge as a permanent residential property therefore constitutes a breach of condition 4 of 92NP0011 (also known as application 92/A/387).

5. WHAT YOU ARE REQUIRED TO DO

- (1) As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:-
 - a) Ensure that Beeswing Lodge is occupied for the purposes of holiday accommodation only and is not occupied as a permanent dwelling and is not occupied for any purpose for a period of four weeks from 14 January in any year

6. PERIOD FOR COMPLIANCE: -

Six calendar months beginning with the day on which this notice is served on you.

Dated: 09/01/2018



Signed: Susannah Buylla
Head of Development Management

For and on behalf of the
Northumberland National Park Authority
Eastburn, South Park, Hexham
NE46 1BS

ANNEX

WARNING

THIS NOTICE TAKES EFFECT *IMMEDIATELY* IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Rebecca Adams, Planning Officer, on 01434 611552.

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.