

Planning Guidelines

Professional Reference Document

For use by solicitors, architects, surveyors, and other professional advisors acting on behalf of applicants or prospective purchasers within the Painshawfield, Batt House and Birches Nook Estate.

Governing document	<i>Deed of Mutual Covenants (1895)</i>
Committee authority confirmed	<i>High Court — Mr Justice Millett (1986)</i>
Monthly meetings	<i>Second Wednesday of each month (except August)</i>
Submission deadline	<i>At least one week before the meeting date</i>
Contact	<i>secretary@painshawfieldestate.org</i>

This document summarises the Estate Committee's planning requirements and procedures. It does not constitute legal advice. Professionals should review the full Deed of Mutual Covenants and seek independent legal advice as appropriate.

1. Legal Authority & Governance

The Painshawfield, Batt House and Birches Nook Estate has been governed by a **Deed of Mutual Covenants** since 1895. Clause 14 of the Deed provides:

"No dwellinghouse or other building shall be erected unless the plans thereof have first been submitted to and approved by a majority of such Committee."

In 1986, Mr Justice Millett confirmed in the High Court that the Committee retains authority to *"preserve the character and amenity of the Estate by withholding or granting approval, or by imposing proper conditions on the grant of approval."*

This means **Estate Committee approval is required in addition to, and independently of, any Local Planning Authority consent**. The two processes run in parallel and neither substitutes for the other.

2. Application Process

All applications follow the same sequential process:

- 1** **Download and complete the Application Checklist** (available on the website). Ensure all required documents and plans are assembled before submission.
- 2** **Submit plans and documentation** to the Estate Secretary at least **one full week before the second Wednesday** of the month. Meetings are held every month except August.
- 3** The Secretary **assigns a surveyor** to assess the application and issues **P1 consultation letters** to neighbours who may be affected.
- 4** The assigned surveyor(s) **carry out a site visit** to assess the proposal against Estate guidelines.
- 5** At the **following month's meeting**, the surveyor presents their report. Any objections received are considered. The Committee votes on the application.
- 6** If approved, a **P2 Approval Form** is issued to the applicant. Work may commence once this form has been received.
- 7** On completion of works, the **P3 Completion Form** is issued, confirming the constructed works match the approved plans.

Note: The minimum timeline from submission to decision is typically two months. Applicants should plan accordingly and are advised not to commence work before a P2 Approval Form is in hand.

3. Mandatory Building Lines

The following building lines are **mandatory**. The Committee has **no discretion** to approve applications that do not comply. Any application in breach of these requirements will be refused.

Road / Location	Minimum Building Line
Batt House Road & New Ridley Road	12.2 metres
Crabtree Road & Birches Nook Road	8.2 metres
West side of Adams Bank	8.2 metres
Ridley Mill Road	3.0 metres
All other roads	18.2 metres
New developments / highways	15.2 metres (minimum)

Building lines are measured from the edge of the adopted highway to the nearest part of the proposed structure.

4. Discretionary Planning Criteria

The following criteria are applied at the Committee's discretion. Conforming proposals are not guaranteed approval, and non-conforming proposals may be approved where the Committee is satisfied no harm will result to the character of the Estate or set a harmful precedent.

Road Frontage	Minimum 25 metres of road frontage per dwelling.
Plot Size	Minimum 0.5 acres (0.2 hectares). In exceptional circumstances, 0.33 acres may be considered.
Side Boundary Setback	Minimum 4.6 metres from any single boundary for habitable structures. Garages and carports: minimum 0.9 metres.
Non-Habitable Outbuildings	Minimum 0.9 metres from any boundary.
Extensions & Alterations	Must match the materials, design and character of the existing dwelling.
New Dwellings	Should harmonise with neighbouring development, using quality natural materials.
Fencing & Boundaries	Must be clearly marked and designed to harmonise with the surroundings.
Back-Site Development	Generally discouraged, and declined in the absence of strong justification. This stance was endorsed by covenants in 1959, 1976, and most recently 2021.

5. Forms & Documents

Application Checklist

Required at submission. Lists all documentation that must accompany plans. Updated November 2022.

Schedule of Fees

Sets out the fees payable to the Estate for application processing and surveyor site visits.

P1 Consultation Letter

Issued by the Secretary to neighbours potentially affected by an application.

P2 Approval Form

Issued to the applicant on approval. Work may not commence without this document.

P3 Completion Form

Issued on completion, confirming works match approved plans. Retain for title deeds.

All forms are available for download from the Estate website: www.painshawfieldestate.org/planning

6. Contact Information

Email	secretary@painshawfieldestate.org
Post	Estate Secretary, PO Box 120, Prudhoe, NE43 7YS
Website	www.painshawfieldestate.org