

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

To: The Mulgrave Estate
c/o John Long Planning Ltd
fao: Mr John Long
45 The Street
Surlingham
Norwich NR14 7AJ
Norfolk

The above named Authority being the Planning Authority for the purposes of your application validated 20 August 2020, in respect of proposed development for the purposes of **conversion of building to form 1 no. principal residence dwelling with associated amenity space and parking** at **Cross Farm Buildings, High Street, Egton** has considered your application and has **granted** permission for the proposed development subject to the following:

Condition(s)


1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location plan	06-2020-1001 Rev A	21/09/2020
Site plan	06-2020-1002 Rev A	21/09/2020
Proposed floor plans	06-2020-1003 Rev A	21/09/2020
Proposed elevations	06-2020-1005 Rev A	21/09/2020
Visitor parking & rear access	06-2020-1006 Rev A	21/09/2020

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. The application property hereby permitted, shall be used as a principal residential dwelling (Class C3) and for no other purpose including any other use in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). The property shall be the only or principal home of the main occupant and it shall be occupied by the main occupant for at least 80% of the calendar year in the event that the main occupant occupies more than one property. The property shall not be occupied by the main occupant as a second home. The occupants shall supply to the local planning authority (within 14 days of the local planning authority's request to do so) such information as the local planning authority may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the property shall not be used as a single unit of holiday letting accommodation.

Continued/Condition(s)



Mr C M France
Director of Planning


Date 12 October 2020

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
5. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
6. This permission has been granted in accordance with the details specified in the survey prepared by Ian Langford Building Surveyor dated 24 July 2020. More extensive works of demolition and rebuilding that does not accord with these details may render the permission invalid and may require a further grant of planning permission from the Local Planning Authority.
7. No work shall commence on the installation of any external fixtures to the building to which this permission/consent relates until details of all external fixtures have been submitted to and approved in writing by the Local Planning Authority. All other external lighting and paraphernalia should be removed. The details should include for provision for any exterior fittings including but not limited to lighting, meter boxes, alarm fittings, security cameras, cabling, signage, wall or roof flues that may be proposed to be installed. The external fixtures shall be installed wholly in accordance with the approved details
8. The roof of the development hereby permitted shall be clad with traditional, non interlocking, non pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority
9. All replacement windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals, cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10. No work shall commence on the installation or removal of any new windows /doors (including garage doors) in the development hereby approved until detailed plans showing the constructional details, materials and external appearance of all external doors/ windows and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. All windows/ doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Continued/Condition(s)



Mr C M France
Director of Planning

Date 12 October 2020

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

11. The external face of the frame to all new doors shall be set in a reveal of a minimum of 200mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
12. All pipework/cablings and other services related to the internal accommodation is to be located internally unless agreed in writing with the Local Planning Authority.
13. All rainwater goods shall be painted cast iron in a colour to be agreed in writing by the Local Planning Authority and thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing.
14. No work shall commence to paint the external joinery in the development hereby approved until a scheme for the painting of all external joinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed treatment for doors, windows, shutters, stable doors and any other exterior joinery fixtures. The works shall be carried out in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
15. No work shall commence on the excavation of the proposed courtyard area hereby approved until the applicant has submitted, for the written approval of the Local Planning Authority, a method statement to support any wall or vertical surface along with details of the proposed boundary treatment. The work shall not be carried out other than in accordance with the details so approved.
16. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.


Informative(s)

1. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.

Continued/Reason(s) for Condition(s)



Mr C M France
Director of Planning

Date 12 October 2020


**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3. In order to comply with NYM Local Plan Policy CO7 which seeks to restrict the occupancy of new residential development to those people who will make the property their principal residency and thus contribute to the sustainability of the local community.
4. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with Strategic Policies A and C of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development.
5. In order to comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents.
6. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of Strategic Policy I and Policy ENV11 of the North York Moors Local Plan.
- 7 – 14. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
15. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of Strategic Policy I and Policy ENV11 of the North York Moors Local Plan.
16. In accordance with Policy CO2 of the North York Moors Local Plan and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including alterations to vehicular access, so as to deliver sustainable development.



Mr C M France
Director of Planning

Date 12 October 2020

Please Note your Rights of Appeal are attached to this Decision Notice

Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at www.planningportal.gov.uk/planning/appeals

Notes

1. Please note, only the applicant possesses the right of appeal.
2. No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
3. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
4. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, 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 this notice.
5. 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 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.