

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: Studio Map Limited
 fao: Mr David McCormack
 Bridge House
 1-2 Station Bridge
 Harrogate
 North Yorkshire
 HG1 1SS

The above named Authority being the Planning Authority for the purposes of your application validated 5 April 2019, in respect of proposed development for the purposes of **alterations, conversion of outbuildings and extensions to building to provide bar/restaurant, 18 no. bed suites, two retail units, staff accommodation and associated parking and landscaping works.** at **The Hambleton Inn, Hambleton, Thirsk** 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. Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified

Document Description	Document No.	Date Received
Proposed site plan	2018/16/20Q	17 September 2019
Proposed basement floor	2018/16/23N	2 September 2019
Proposed ground floor	2018/16/21P	27 August 2019
Proposed first floor	2018/16/22O	27 August 2019
Proposed street sections	2018/16/25M	11 July 2019
Proposed section elevations	2018/16/26O	11 July 2019
Proposed section elevations	2018/16/27N	11 July 2019
Proposed section elevations	2018/16/28K	11 July 2019
Swept path analysis	19126/ATR/01	5 September 2019
Flood exceedance drawing	SK-01 Rev 01-P1	17 August 2020

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

3. The premises shall not be used other than as a hotel with ancillary retail and leisure facilities and shall not be used for any other purpose (including any other purpose in Class A1, A3, A4 and C1 of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).

Continued/Condition(s)



Mr C M France
 Director of Planning

Date 21 October 2020

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

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4. The staff accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the business known as The Hambleton Inn, and shall not be sold or leased separately without a further grant of planning permission from the Local Planning Authority.
5. No goods shall be displayed, stored, sold or offered for sale on any part of the application site outside the building hereby permitted.
6. 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.
7. No work shall commence on the construction of the walls of the development hereby permitted until details of the stone, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development including for walling and dressings have been submitted to and approved in writing by the Local Planning Authority. The stone used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
8. No work shall commence on the construction of the walls of the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained on the development site until the development hereby approved has been completed.
9. No work shall commence on the construction of the walls of the development hereby permitted until details of the texture and paint colour of the render, including samples if so required, have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority. The rendering and painting shall be completed no later than one month after the development hereby permitted being first brought into use.
10. No work shall commence on the construction of the roof of the development hereby permitted until details of the type of slate, including samples if so required by the Local Planning Authority, to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The roof slate used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
11. All pointing in the development hereby permitted shall accord with the following specification - a lime mortar mix of 1:2½ (lime; sand (sand mix of 50% sieved sharp sand and 50% builder's sand) with a slightly recessed bagged finish.

Continued/Condition(s)



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North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
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12. The external elevations of the parts of the development to be timber clad hereby approved shall, within three months of first being brought into use, be clad in vertical timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
13. No work shall commence on the timber cladding of the development hereby permitted until details, including the design and fixing of the timber cladding including samples if so required have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
14. No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. All 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.
15. No work shall commence on the installation of any door in the development hereby approved until details of the finish of the external doors have been submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details so approved, completed within six months of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
16. No work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development 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. The window frames shall be installed 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.
17. No work shall commence to stain/paint the windows in the development hereby approved until details of the paint colour/finish of the windows has been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details, completed within six months of the date of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
18. Trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter unless otherwise agreed in writing with the Local Planning Authority.

Continued/Condition(s)



Mr C M France
Director of Planning

Date 21 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**

19. The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
20. The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
21. Prior to the erection of any acoustic fences, full details shall be submitted of its height, design and materials. The fence shall thereafter be erected in accordance with the approved details and thereafter be so maintained.
22. Prior to the installation of the glazing to the southern gable end of the development hereby permitted, that would serve room B9, details of the tinting and level of reflection of the glass shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall thereafter be installed and maintained in accordance with those approved details unless otherwise agreed in writing by the Local Planning Authority.
23. The development hereby approved shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document). The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed. Note that further restrictions on surface water management may be imposed by Yorkshire Water and the Local Planning Authority.
24. No development shall take place on site until a programme of pre-commencement trial trenching has been carried out and the results discussed with the Local Authority archaeologist. The trial trenching will be in accordance with a Written Scheme of Investigation submitted to and approved in writing by the Local Authority. The programme of trial trenching should particularly aim to date any encountered features or contexts, including a programme of environmental sampling, and identify evidence of re-use of the dyke. The results of the trial trenching and need for further works will be discussed throughout with the Local Authority archaeologist.

Continued/Condition(s)



Mr C M France
Director of Planning

Date 21 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**

25. Should the pre-commencement trial trenching identify features indicating unexpected activity on the site, including the medieval re-use of the dyke, a further Written Scheme of Investigation for a watching brief or full excavation shall be submitted to and approved in writing by the Local Authority. The requirements of any further work will be discussed throughout with the Local Authority archaeologist.
A copy of any analysis, reporting or publication created from either of the above conditions will be submitted to the North York Moors National Park Authority Historic Environment Record.
26. The development hereby permitted shall not be brought into use until full details of the method to generate energy on site from renewable sources to displace at least 10% of predicted CO2 emissions have been submitted to and approved by the Local Planning Authority. The approved details and measures shall then be completed prior to the occupation of the development hereby approved and shall be maintained in working order unless the prior written agreement of the Local Planning Authority has been obtained.
27. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
The works shall be implemented in accordance with the approved details and programme.
28. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:-
a. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number DC/E9A using conservation-type kerbing.
29. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing Number 2018 16 - 20Q for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
30. Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway (Hambleton Lane - across the whole site frontage and driveway access to the east) has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Continued/Condition(s)



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Date 21 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**

31. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
- a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. wheel washing facilities
 - e. measures to control the emission of dust and dirt during construction
 - f. a scheme for recycling/disposing of waste resulting from demolition and construction works
32. No work shall commence to clear the site in preparation for the development hereby permitted until details of a programme of works to mitigate the impact of the development on any bats at the site have been submitted to and approved in writing by the Local Planning Authority. The programme shall include a survey of the buildings to determine the extent of any bat presence and a written scheme of mitigation measures. The work shall not be carried out otherwise than in accordance with the details so approved.

Informative(s)

1. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in condition 28.

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policies A and C, which seek to conserve and enhance the special qualities of the NYM National Park.

Continued/Reason(s) for Condition(s)



Mr C M France
Director of Planning

Date 21 October 2020

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

**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**

3. In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), and to comply with the provisions of NYM Strategic Policies A and C, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
4. The site is in a location where new residential development would be contrary to NYM Strategic Policy M but the accommodation has been permitted in this instance to meet the specific needs of the business operating from the site.
5. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Strategic Policy A which seeks to conserve and enhance the special qualities of the National Park.
6. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Strategic Policy A which seeks to conserve and enhance the special qualities of the National Park.
- 7 – 11. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C 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.
- 12 – 22. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
23. To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.
- 24 & 25. In order that any remains of archaeological importance can be adequately investigated and recorded before any development takes place on the site and to comply with NYM Strategic Policy I and Policy ENV10 which seeks to conserve and enhance the historic assets and cultural heritage of the National Park.
26. In order to comply with the provisions of NYM Policy ENV8 which seeks to ensure that new development contributes to reduce carbon emissions.
27. In accordance with NYM Policy CO2 and in the interests of highway safety
- 28 & 29. In accordance with NYM Policy CO2 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development
30. In accordance with NYM Policy CO2 and in the interests of highway safety and the general amenity of the area

Continued/Reasons for Conditions



Mr C M France
Director of Planning

Date 21 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**

31. In accordance with NYM Policy CO2 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
32. In order to comply with the provisions of NYM Strategic Policy H which seeks to protect species protected under national and international legislation.

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 amendments to the scale and design of the development so as to deliver sustainable development.



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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.