

**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**

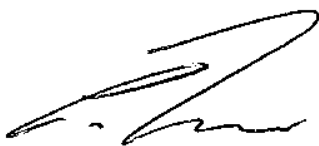
To: Mrs Jeanette Waller-Dawe
The Cottage
Sneaton Hall
Sneaton
Whitby
North Yorkshire
YO22 5HP

The above named Authority being the Planning Authority for the purposes of your application validated 24 November 2020, in respect of proposed development for the purposes of **variation of conditions 3 and 4 of planning approval NYM/2016/0745/FL to allow use as either holiday letting unit or additional living accommodation to dwelling (no internal/external alterations)** at **The Cottage, Sneaton Hall, Sneaton** has considered your application and has **granted** permission for the proposed development subject to the following:

Condition(s):

1. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
2. The accommodation hereby approved shall not be used for residential purposes other than as either holiday letting purposes or as annexe accommodation ancillary to the use of the main dwelling known as The Cottage, Sneaton Hall. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year and annexe accommodation means used only for members of the family of the occupier of the main dwelling.
3. The holiday unit/annexe accommodation hereby permitted shall form and remain part of the curtilage of the main dwelling known as The Cottage, Sneaton Hall as a single planning unit and shall not be sold or leased separately from the main dwelling without a further grant of planning permission from the Local Planning Authority.
4. The holiday let shall not be occupied until the related parking facilities (located off Beacon Way) are available in accordance with the approved drawing. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times. The occupier of the main dwelling shall take all necessary steps to ensure the traffic associated with the holiday let is not allowed to park in the area accessed off Sneaton Lane. There shall be no letting of the holiday let unless the necessary arrangements are in place to ensure holiday let traffic do not utilise the Sneaton Lane access.

Continued/Reason(s) for Condition(s)



Mr C M France
Director of Planning

Date 14 January 2021

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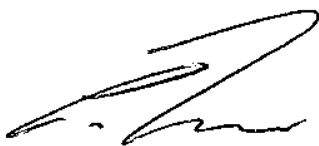
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Reason(s) for Condition(s)

1. 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.
2. The site is in a position where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the annexe and main dwelling in accordance with Policies CO17 and CO18 of the North York Moors Local Plan.
3. The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling in accordance with Policy UE4 of the North York Moors Local Plan.
4. In accordance with Policy CO2 of the North York Moors Local Plan and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of 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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.



Mr C M France
Director of Planning

Date 14 January 2021

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.