

**Planning (Listed Buildings and Conservation Areas) Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Listed Building Consent**

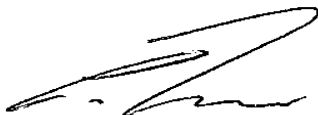
To: The Farndale Estate
c/o MBO Architects
fao: Jen Hurley
Lancaster House
James Nicolson Link
Clifton Moor
York
YO30 4GR

The above named Authority being the Planning Authority for the purposes of your application validated 20 April 2020, in respect of proposed development for the purposes of **internal and external alterations to farmhouse and conversion of outbuildings to form 2 no. holiday/local occupancy letting cottages with lean-to log store at Mill Farm, Low Mill, Farndale** 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
Proposed site plan	MFF2-201-c	7 July 2020
Proposed drainage	MFF2-202-a	15 April 2020
Proposed farmhouse plans	MFF2-210-d	23 December 2020
Proposed farmhouse elevations	MFF2-211-e	23 December 2020
Proposed farmhouse	MFF2-214-d	23 December 2020
Room detail plans		
Attached building	MFF2-221-e	23 December 2020
Proposed plans & elevations		
Attached building	MFF2-222-d	23 December 2020
Proposed sections & notes		
Attached building	MFF2-223-c	23 December 2020
Proposed details		
Attached building - Proposed	MFF2-224-b	23 December 2020
Services Plan & room layouts		
Detached outbuilding as proposed	MFF2-231-d	23 December 2020
Plans and elevations		
Detached outbuilding as proposed	MFF2-232-b	23 December 2020
Sections A-A & B-B		
Proposed details		Continued/Condition 2



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Detached outbuilding	MFF2-233-b	23 December 2020
Detached outbuilding	MFF2-234-b	23 December 2020
Services plan		
External works details	MFF2-900-b	15 April 2020
Farmhouse proposed services	MFF2-213-c	23 December 2020
Plant room proposed plans, elevations, sections & details	MFF2-204-a	15 April 2020
Proposed bin & bike store	MFF2-205-a	15 April 2020
Lighting details	"Gemma bollard"	15 June 2020
Pathway lighting report	2b	15 June 2020
Farmhouse internal door schedule	MFF2 460	15 June 2020
Farmhouse external door schedule	MFF2 461T1	15 June 2020
Farmhouse window schedule	MFF2 462T3	15 June 2020
Attached Cottage (Milking Parlour)	MFF2 463 T2	15 June 2020
External Door & Window schedule		
Amended supporting information		5 May 2020
Email amendments	MFF2	23 December 2020
Email amendments	"comments in purple"	24 June 2020
Email and attached document "trickle vent types 03.12.20"		03 December 2020

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

3. This permission has been granted in accordance with the details specified in the survey prepared by Mason Clark Associates received on 15 April 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.
4. No work shall commence on the installation of any windows or doors in the development hereby approved until detailed plans showing the constructional details and external appearance of all external windows, doors and frames (including glazing) 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.
5. 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.
6. All new windows to the farmhouse shall be set in reveals to match existing and all new windows to the attached and detached outbuildings shall be set in deeper reveals of a minimum of 70mm. All windows shall be pointed in burnt sand mastic or lime mortar (not cement,) leaving stone reveals clean of mortar.

Continued/Conditions



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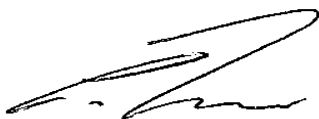
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7. All pointing in the development hereby permitted shall be based on a typical mix of a non-hydraulic quicklime mortar mixed at a ratio of 1:3 (dry non-hydraulic quicklime: sand) and a sample area showing the proposed mortar and finish shall be made available to the Local Planning Authority for approval. The pointing shall thereafter be maintained as approved unless otherwise agreed in writing by the Local Planning Authority.
8. No work shall commence on the installation of any external fixtures to the building to which this permission relates until details of all external fixtures have been submitted to and approved in writing by the Local Planning Authority. The details should include for provision for any exterior lighting, meter boxes, signage, wall or roof flues, television antennae and satellite dishes that may be proposed to be installed. The external fixtures shall be installed wholly in accordance with the approved details.
9. No work shall commence on the replacement of any timbers to the roofs of the development hereby permitted (those of the farm house and both conversions) until further assessment and clarification of the extent of timber repair and replacement needed has been agreed by the LPA. The work shall then be carried out in accordance with the agreed approach.
10. Prior to the first occupation of any of the development hereby approved, the current unauthorised windows shall be replaced with those approved in Condition 2 above. The replacement windows shall thereafter be maintained as approved unless otherwise agreed in writing by the Local Planning Authority.
11. The new lintel to Door ED4 of the attached barn shall be in matching stone, dimensioned to flanking stone course and hand-tooled to match the existing masonry. The newly-cut reveal should also be hand-tooled to remove sawn surfaces.
12. Once the roof structure has been revealed and its condition assessed, further details of the extent of timber replacement/repair shall be provided to the Local Planning Authority for approval. No timbers shall be replaced without written approval.
13. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraphs 9.3 and 9.4 of the submitted Bat Survey dated 24 December 2020 prepared by John Drewett Ecology.

Informative(s)

1. Planning permission has also been granted for this development. You are advised to obtain sight of the notice of planning permission and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the planning permission.

Continued/Informatives



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2. 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.
3. Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England <http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx>. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.

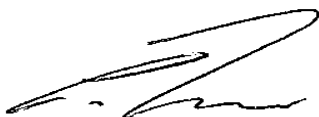
If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.

4. The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at www.groundstability.com

Reason(s) for Condition(s)

1. To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 Policy A and C, which seek to conserve and enhance the special qualities of the NYM National Park.

Continued/Reasons for Conditions



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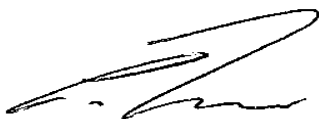
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3. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of Strategic Policy I and Policy ENV11 of the North York Moors Local Plan.
- 4 & 5. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy 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.
6. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy 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.
7. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy 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.
8. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy 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.
9. 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.
- 10 & 11. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy 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.
12. 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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
13. To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with Strategic Policy H of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

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

Officers have worked closely with the agent throughout this application and having appraised the scheme against the Development Plan and other material considerations have sought mutually agreed amendments and conditions.



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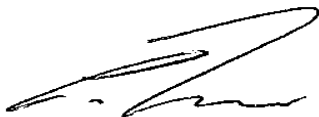
Notes

1. 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 further approval has been obtained.
2. Attention is drawn to Section 8 (2)(C) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that demolition of a Listed Building may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposal has been given to English Heritage, Architectural Investigation Section, 37 Tanner Row, York, YO1 6WP, and they subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.
3. (a) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent, for the proposed works, or to grant consent subject to conditions, they may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of the date of this notice. 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.
(b) If Listed Building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims 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 works which have been or would be permitted, they may serve on the council of the county/district a purchase notice requiring that council to purchase his interest in the land in accordance with the provision of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
(c) In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) 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**

4. Please note, only the applicant possesses the right of appeal.
5. In your own interests your attention is particularly drawn to the conditions under which approval



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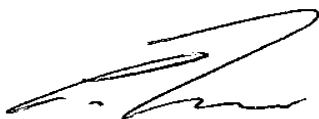
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has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.

6. 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.
7. 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.



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