



North York Moors National Park Authority  
 The Old Vicarage  
 Bondgate  
 Helmsley  
 York  
 YO62 5BP

Telephone: 01439 772700  
 Email: [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)  
 Website: [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)



Application for removal or variation of a condition following grant of planning permission.  
 Town and Country Planning Act 1990.  
 Planning (Listed Buildings and Conservation Areas) Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting [www.planningportal.gov.uk/apply](http://www.planningportal.gov.uk/apply)

**Publication of applications on planning authority websites**

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.  
 It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

**1. Applicant Name and Address**

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

**2. Agent Name and Address**

Title:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

### 3. Site Address Details

Please provide the full postal address of the application site.

Unit:  House number:  House suffix:

House name: TOPT HOUSE CARAVAN SITE

Address 1: MAIN ROAD

Address 2: AISLABY

Address 3:

Town: WHITBY

County: NORTH YORKSHIRE

Postcode (optional): YO21 1SW

Description of location or a grid reference.  
(must be completed if postcode is not known):

Easting:  Northing:

Description:  
NYM/2020/0757/FL

### 4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?  Yes  No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible:

Officer name:  
HILARY SAUNDERS

Reference:

Date (DD/MM/YYYY):  
(must be pre-application submission)

Details of pre-application advice received?  
HILARY ADVISED ME TO APPLY FOR VARIATION OF CONDITIONS

### 5. Description Of Your Proposal

Please provide a description of the approved development as shown on the decision letter, including the application reference number and date of decision in the sections below:

CONSTRUCTION OF 2 NO. SELF BUILD, LOCAL OCCUPANCY DWELLINGS WITH ASSOCIATED DRIVEWAY AND LANDSCAPING

Reference number: NYM/2020/0757/FL Date of decision (DD/MM/YYYY): 30/04/2021 (date must be pre-application submission)

Please state the condition number(s) to which this application relates:

1.	<u>NO 01 WINDOW &amp; DOOR FRAMES</u>	6.	
2.	<u>NO 11 EXTERNAL DOORS</u>	7.	
3.		8.	
4.		9.	
5.		10.	

Has the development already started?  Yes  No

If Yes, please state when the development started (DD/MM/YYYY):  (date must be pre-application submission)

Has the development been completed?  Yes  No

If Yes, please state when the development was completed (DD/MM/YYYY):  (date must be pre-application submission)

### 6. Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed:

TO ENABLE US TO FIT MORE ENVIRONMENTALLY FRIENDLY PVC-U WITH A 35 YEAR LIFE, RE-CYCLABLE & HAS SUPERIOR THERMAL EFFICIENCY

If you wish the existing condition to be changed, please state how you wish the condition to be varied:

ABLE TO FIT FLUSH SASH WINDOWS WITH A DELICATE WOODGRAIN FINNISH ALONG WITH MECHANICAL JOINTS IN A CLASSIC CREAM COLOUR RATHER THAN WHITE. THE DOORS PVC-U TOO WITH DELICATE WOODGRAIN FINNISH, MECH JOINTS & EMERALD GREEN

## 7. Ownership Certificates

One Certificate A, B, C, or D, must be completed with this application form

### CERTIFICATE OF OWNERSHIP - CERTIFICATE A

**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land or building to which the application relates.

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:



29/07/2021

### CERTIFICATE OF OWNERSHIP - CERTIFICATE B

**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land or building to which this application relates.

Name of Owner	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:




### CERTIFICATE OF OWNERSHIP - CERTIFICATE C

**Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of the land or building, or of a part of it, but I have/ the applicant has been unable to do so.

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):



Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

## 7. Ownership Certificates (continued)

### CERTIFICATE OF OWNERSHIP - CERTIFICATE D

#### Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

The steps taken were:

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

## 8. Agricultural Land Declaration

### AGRICULTURAL LAND DECLARATION

#### Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of, an agricultural holding.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

29 / 07 / 2021

(B) I have/ The applicant has given the requisite notice to every person other than myself/ the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

## 9. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form:

The original and 3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable):

The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application:

The original and 3 copies of the completed, dated Article 12 Certificate (Agricultural Holdings):

The correct fee:

### 10. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

29/07/2021

(date cannot be pre-application)

### 11. Applicant Contact Details

Telephone numbers

Country code:  National number:  Extension number:

Country code:  Mobile number (optional):

Country code:  Fax number (optional):

Email address (optional):

### 12. Agent Contact Details

Telephone numbers

Country code:  National number:  Extension number:

Country code:  Mobile number (optional):

Country code:  Fax number (optional):

Email address (optional):

### 13. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?  Yes  No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)  Agent  Applicant  Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

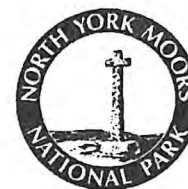
Contact name:

Telephone number:

Email address:

# Validation Checklist

Removal or Variation of a Condition Following Grant of Planning Permission (Section 73 of the Town And Country Planning Act 1990)



To ensure that the Planning Officer dealing with your planning application has a complete picture on which to base their judgments and to ensure proper public consideration, the following information is required at application submission stage. Failure to supply the required information with a planning application submission will delay a decision on the proposal as the statutory determination period will not begin until the required information is submitted and the validation requirements fulfilled.

**Please complete the attached checklist to indicate what you have included with your application. All plans should include paper size, key dimensions and scale.**

## Standard National Validation Requirements

(Three copies are to be supplied unless the application is submitted electronically)

**Completed Application Form with Signed and Dated Declaration** YES  NO

**Completed Certificate of Ownership A, B, C or D** (only one to be completed) as required by Article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2010. YES  NO

**Completed Agricultural Holdings Certificate A or B** (only one to be completed) as required by Article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2010. YES  NO

**Application Fee** YES  NO   
Please see the Authority's Fee Sheet for further information.

**Other Drawings Relevant to the Application** YES  NO

## Standard Local Validation Requirements

(Three copies are to be supplied unless the application is submitted electronically)

**Bat Scoping Survey** to ensure that nature conservation interests are not unduly affected by the development. YES  NO

Please see Planning Advice Note 2 (Planning and Biodiversity) for further information.

**Flood Risk Assessments/Sequential Test** to ensure that the implications of flooding are satisfactorily addressed. YES  NO

For further advice please contact the Environment Agency on 01904 692296 or see their website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

**Tree Survey/Arboricultural Assessment** to ensure tree preservation issues are properly addressed.

YES

NO

Please see Design Guide Part 3: Trees and Landscape for further information.

**Structural Survey** prepared by a suitably qualified structural engineer in order to ensure that the building is structurally sound and capable of conversion without the need for significant rebuilding and/or alterations.

YES

NO

**Statement of Agricultural Need** in order to assess whether the need to live on the site is essential.

YES

NO

**Local Occupancy Proforma (in relation to schemes for new build dwellings/conversions to dwellings for sale under Core Policy J)** which sets out the local need for the dwelling.

YES

NO

Please see the Housing Supplementary Planning Document for further advice and the relevant proformas.

**Heritage Statement** with appropriate mitigation necessary to ensure conservation issues are properly addressed.

YES

NO

Please see Heritage Statement Guidance Note for further information.

**Further additional information may be requested; however this will not delay the validation of your planning application but may be required prior to a decision being made.**

Please do not hesitate to contact the Development Management Administration Team if you require further assistance.

# Validation Checklist

Removal or Variation of a Condition Following Grant of Planning Permission (Section 73 of the Town And Country Planning Act 1990)



These notes have been written to help you with the submission of your planning application.

## Application Forms

Please submit three copies ensuring that all parts of the form are completed and the declaration is signed and dated unless submitted via the Planning Portal.

## Certificate of Ownership

**Certificate A** - should be completed when the applicant is the sole owner of the land subject to the application or has a lease with at least seven years to run.

**Certificate B** - should be completed when the land has shared ownership or if another person other than the applicant owns the land. Notice(s) as required by Article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 must be given.

**Certificate C** - should be completed when one or some of the owners are known but others cannot be identified. Notice(s) as required by Article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 must be given and/or published in accordance with this Article.

**Certificate D** - should be completed when none of the owners are known. Notice(s) as required by Article 12 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 must be given and/or published in accordance with this Article.

## Agricultural Holdings Certificate

You must complete either A or B. If part B has been completed, notice must be served on all tenants of the land in question with the tenant's name, address and the date notice has been served on them included. If there are no tenants this must be stated.

## Application Fee

Please see the Authority's Fee Sheet for further information.

## Other Drawings Relevant to the Application

If you are proposing a material minor amendment to the design of the approved scheme, detailed drawings must be submitted firstly showing the approved design and secondly the amendments you wish to make. These plans should be to scale i.e. 1:50 or 1:100 showing elevations, cross sections, floor plans and layouts of the proposed works together with existing and proposed ground levels and floor levels. Drawings shall include both existing and proposed details. It is a legal requirement that all measurements must be in metric and not imperial form. Any drawing submitted using solely imperial measurements will not be accepted and will be returned for metric conversion.



### **Important Information**

The plans submitted as part of any application considered by the Planning Committee will be scanned and possibly used in a PowerPoint presentation of the scheme. It is essential, therefore, that the plans are sufficiently clear so that the details of the proposal can be easily seen when projected onto the screen.

If the plans are not clear resulting from, for example, discoloured paper or particularly fine line drawings it may be difficult for Members of the Committee to appreciate fully the details of the scheme which could result in a delay in the determination of an application if Members consider it appropriate to seek further clarification of aspects of the development proposed. Please try to ensure that submitted plans are clear and that they meet the requirements set out in this Guidance Note.

### **Bat Scoping Survey**

Applications for conversions of barns to a new use where the roof is substantially in place, demolition of houses/barns/significant buildings (when pre WW1) where planning permission is needed, significant works to bridges/kilns/caves/tunnels or other similar structures and erection of wind turbines within 50 metres of a building, woodland or linear feature, or where there is evidence of bats on or close by the site require the submission of a Bat Scoping Survey to ensure that nature conservation interests are not unduly affected by the development.

Please see Planning Advice Note 2 (Planning and Biodiversity) for further information.

### **Flood Risk Assessments/Sequential Test**

This is required to ensure that the implications of flooding are satisfactorily addressed. Flood Risk Assessments/Sequential Tests should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account.

For further advice please contact the Environment Agency on 01904 692296 or see their website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

### **Tree Survey/Arboricultural Assessment**

Where there are trees within the application site, or adjacent to it that could influence or be affected by the development (including street trees); information will be required on which trees are to be retained and on the means of protecting these trees during construction works. A suitably qualified and experienced arboriculturalist should prepare this information. The information provided with the application must be in accordance with British Standard 5837 (2012) Recommendation for Tree Work.

Please see the Authority's Design Guide Part 3: Trees and Landscape for further information.

### **Structural Survey**

Applications for the conversion of traditional buildings require the submission of a Structural Survey prepared by a suitably qualified structural engineer in order to ensure that the building is structurally sound and capable of conversion without the need for significant rebuilding and/or alterations.

**Statement of Agricultural Need**

Applications for construction of a dwelling or conversion to a dwelling to be occupied by person(s) in farming, forestry or other land management activities in open countryside require the submission of a Statement of Need to demonstrate that there is a genuine need for the accommodation proposed which is essential to the efficient functioning of the unit (i.e. that there is a need for one or more full-time workers, primarily employed in agriculture, to be readily available at most times) and that such a functional need could not be fulfilled by the adaption or extension of another dwelling on the unit, through the conversion of a traditional building on the unit or any other accommodation in the area which is suitable and available. As well as demonstrating a functional need, the report must demonstrate that the enterprise, to which the functional need relates, is profitable, has been established for at least three years and is likely to remain so.

**Local Occupancy Proforma**

Applications for schemes which involve the provision of 'local occupancy' dwellings/accommodation (except local occupancy letting) under Core Policy J require the submission of evidence of the need for the dwelling. This should involve details of the intended occupier, how they meet the local occupancy condition and why their needs cannot be met by the existing housing stock.

**Heritage Statement**

Applications for Listed Building consent and for applications for planning permission where these affect a Listed Building, Conservation Area, Registered Park and Garden or Scheduled Monument (all forms of statutorily designated heritage assets) require the submission of a proportionate Heritage Statement with appropriate mitigation necessary to ensure conservation issues are properly addressed. A Heritage Statement may also be required for applications that affect undesignated heritage assets.