

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: Mr & Mrs Bentley
c/o Fox Architecture and Design
fao: Catherine Brotherton
Fox Cottage
Whitley Road
Whitley
Dewsbury
WF12 0LU

The above named Authority being the Planning Authority for the purposes of your application validated 16 August 2021, in respect of proposed development for the purposes of **demolition of existing side extension, alterations to existing building and construction of glazed link and two storey extension to provide function room and owners accommodation at The Wilson Arms, Beacon Way, Sneaton** 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.

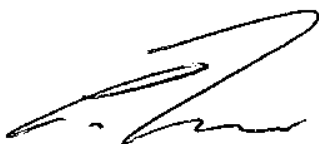
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

| Document Description | Document No. | Date Received |
|------------------------------|---------------------|----------------------|
| Proposed ground floor layout | 2059/113B | 5/08/2021 |
| Proposed first floor layout | 2059/114C | 5/08/2021 |
| Proposed elevations 1 | 2059/111C | 5/08/2021 |
| Proposed elevations 2 | 2059/112C | 5/08/2021 |

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

3. 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

Continued/Condition(s)



Mr C M France
Director of Planning

Date 08 October 2021

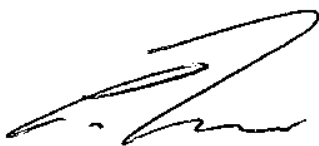
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4. No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted 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.
5. No work shall commence on the installation or removal of any doors/windows in the development hereby approved until detailed plans showing the constructional details 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 doors/windows 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.
6. The external face of the frame to all new windows shall be set in a reveal or match the existing building or a minimum of 60mm 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.
7. 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.
8. The details of any new lintels and cills together with any replacement lintels and cills, shall be submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details hereby approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. 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)



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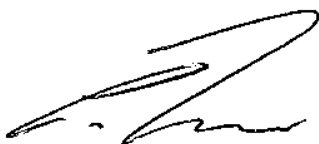
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9. No work shall commence on the installation of any rooflights in the development hereby approved until full details have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be flush fitting and fixed or top-hung metal conservation style and shall be installed in accordance with the approved details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10. All pipework/cabling and other services related to the internal accommodation is to be located internally unless agreed in writing with the Local Planning Authority
11. 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.
12. All rainwater goods shall be black painted cast iron and thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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.
2. 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.

Continued/Informative(s)



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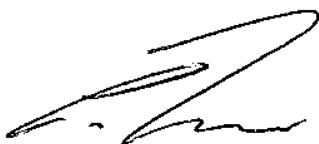
3. Swift (*Apus apus*) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; <https://www.swift-conservation.org/> with additional swift box ideas from Action for Swifts;
<http://actionforswifts.blogspot.com/search/label/nestbox%20design>
4. 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.

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 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 – 5. 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.
- 6 – 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.

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.



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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 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.