

**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: Helen Murray  
c/o Rogerson Limited  
fao: Gerry Rogerson  
The Old Post Office  
Stonegrave  
YO62 4LJ

The above named Authority being the Planning Authority for the purposes of your application validated 22 April 2021, in respect of proposed development for the purposes of **internal and external alterations and construction of single storey rear extension following demolition of existing extensions and outbuildings, construction of replacement garden store and repairs to stone bridge over pond at 34 Main Road, Aislaby** has considered your application and has **granted** permission for the proposed development subject to the following:

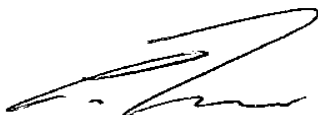
**Condition(s):**

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:

<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>
Garden Store Plans	TPH/P.120, 220, 221	07 April 2021
Amended Ground Floor Plan	TPH/P.100 E	07 September 2021
Amended First and Second Floor Plan	TPH/P.101 E	15 October 2021
Amended Rear Elevation	TPH/P.201 D	15 October 2021

- or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. 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.

Continued/Condition(s)



Mr C M France  
Director of Planning

Date 22 October 2021

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

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

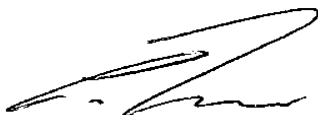
**Notice of Decision of Planning Authority on Application for  
Listed Building Consent**

4. No work shall commence on the installation of any rooflights in the development hereby approved until full details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be conservation style rooflights 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.
5. No external lighting shall be installed in the development hereby permitted without first obtaining planning permission from the Local Planning Authority.
6. No work shall commence on the extension and internal works hereby approved until the first floor bathroom window and ground floor study window have been installed in accordance with the details 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 and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7. 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.

**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](http://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](mailto:conservation@northyorkmoors.org.uk).

Continued/Reason(s) for Condition(s)



Mr C M France  
Director of Planning

Date 22 October 2021

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

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

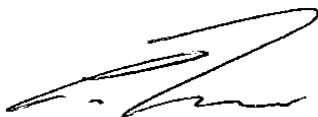
**Notice of Decision of Planning Authority on Application for  
Listed Building Consent**

**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 NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
- 3 & 4. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy 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.
5. In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
6. In order to comply with the provisions of NYM Strategic Policy I and to ensure that the quality of the approved development is not materially diminished between permission and completion through the omission of proposals that would mitigate the potential harm of the development.
7. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy 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.

**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 design and scale of the proposed extension, internal alterations and amended window designs so as to deliver sustainable development.



Mr C M France  
Director of Planning

Date 22 October 2021

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

## 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](http://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.