

**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: Mr Mark Wilson
South Beck House
Hackness Road
Scarborough
YO13 0QY

The above named Authority being the Planning Authority for the purposes of your application validated 24 November 2021, in respect of proposed development for the purposes of **variation of condition 2 of planning approval NYM/2020/0207/FL to allow the summerhouse/office building to be used as temporary residential accommodation for 12 months at South Beck House, Hackness Road, Scalby** has considered your application and has **granted** permission for the proposed development subject to the following:

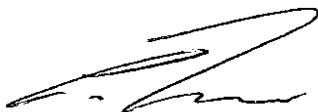
Condition(s):

1. The development hereby permitted shall be used for domestic use / domestic storage incidental to the occupation of the main dwelling on the site and for no other purpose. Other than for a single period of 12 months from the date of this permission, there shall be no alterations to facilitate residential use or residential use of the buildings hereby permitted and any such use beyond the 12 month period will require a separate grant of planning permission from the Local Planning Authority. Both the summerhouse/office and workshop/store shall remain ancillary to the use of the main house known as South Beck House and shall remain as part of the curtilage to the main dwelling as a single planning unit and shall not be leased off separately without a further grant of planning permission from the local Planning Authority.
2. Three bat boxes shall be installed, in accordance with industry best practise, at the site before the development hereby approved is brought into first use.
3. The external timber cladding of the buildings hereby approved shall be retained a stained dark grey/black and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority
4. The external surface of the roof, doors and windows of the buildings hereby permitted shall be retained dark grey and thereafter maintained dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.

Reason(s) for Condition(s)

1. In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with NYM Core Policies B and J and would be likely to adversely affect the amenities of existing and future occupiers of the site.

Continued/Reason(s) for Condition(s)



Mr C M France
Director of Planning

Date 07 February 2022


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2. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.
3. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.
4. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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 Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework



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Director of Planning

Date 07 February 2022

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:
 - a) refuse an application for planning permission or grant it subject to conditions;
 - b) refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
 - c) refuse an application for any approval required under a development order

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.