

**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 Martin Hall  
c/o A L Turner + Associates  
fao: Mr Tony Turner  
1 Loring Road  
Ravenscar  
Scarborough  
YO13 0LY

The above named Authority being the Planning Authority for the purposes of your application validated 15 June 2022, in respect of proposed development for the purposes of **subdivision of existing house to create self contained holiday let together with alterations and construction of pitched roof to existing entrance, two dormer windows to front elevation, part single/part two storey link extension and first floor extension to outbuildings to form additional living accommodation to dwelling, construction of garage together with alterations to site entrance and car parking arrangement at 2 Seafield House, Robin Hoods Bay** has considered your application and has **granted** permission for the proposed development subject to the following:

**Condition(s):**

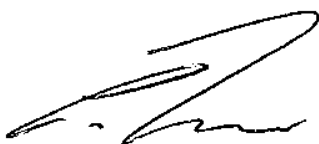
1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

| <b>Document Description</b>   | <b>Document No.</b> | <b>Date Received</b> |
|-------------------------------|---------------------|----------------------|
| Block plan                    | ----                | 15/06/2022           |
| Block plan                    | ----                | 15/06/2022           |
| Elevations 1 of 2 as proposed | 2460:7              | 15/06/2022           |
| Elevations 2 of 2 as proposed | 2460:8A             | 25/08/2022           |
| Ground floor plan             | 2460:5              | 15/06/2022           |
| First and second floor plan   | 2460:6A             | 25/08/2022           |
| Proposed garage               | 2460:9              | 15/06/2022           |

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

Continued/Condition(s)



Mr C M France  
Director of Planning

Date 31 August 2022

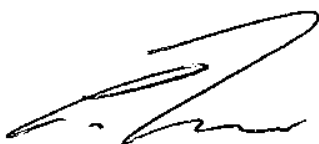
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4. The accommodation hereby approved shall not be used for residential purposes other than for holiday letting purposes or as an annexe to be used only by members of the family or the occupier of the main dwelling currently known as 2 Seafield House, Robin Hoods Bay.  
The accommodation shall remain ancillary to the main dwelling and shall form and remain as part of a single planning unit with 2 Seafield House, unless otherwise agreed in writing by the Local Planning Authority.  
For the purpose of this condition, 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.
5. No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be of a style and luminance which minimises glare and light pollution. All bulbs should be shielded to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.
6. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.
7. All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.
8. All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. The external timber cladding of the building hereby approved shall be dark stained dark and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10. The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise 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.

Continued/Condition(s)



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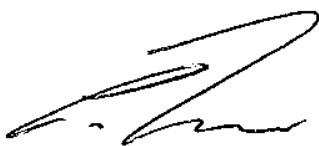
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12. The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13. The frames of the solar panels hereby approved shall be coloured black unless otherwise approved in writing by the Local Planning Authority.
14. The area of land within the application site, to the west of the existing dwelling and garage hereby approved, annotated as "paddock" on the submitted block plan does not form part of the domestic curtilage and no buildings or any other structures shall be situated on this land without the prior written approval of the Local Planning Authority.
15. Prior to the application of the external insulation product, manufacturers details of the product to be used shall be submitted to and approved 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](#). Further information on wildlife legislation relating to birds can be found on the [RSPB's website](#). 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/Informative(s)



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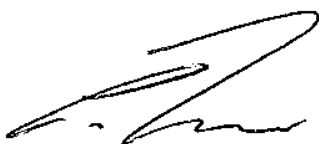
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3. Swift (*Apus apus*) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. 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](#); with additional swift box ideas from [Action for Swifts](#).

**Reason(s) for Condition(s)**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning 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. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with Strategic Policies A and C of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development.
4. The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the annexe/holiday accommodation and main dwelling in accordance with Policy UE4 of the North York Moors Local Plan.
5. In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
6. In accordance with Policy CO2 of the North York Moors Local Plan and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.
7. 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.

Continued/Reason(s) for Condition(s)



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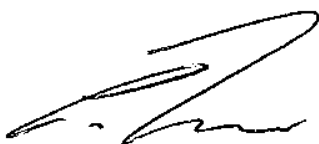
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- 8 – 13. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
14. In the interests of the visual amenities of the locality and to comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the special qualities of the National Park.
15. 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 recommended changes to the proposal including reduction in size of dormer windows, so as to deliver sustainable development.



Mr C M France  
Director of Planning

Date 31 August 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:
- refuse an application for planning permission or grant it subject to conditions;
  - 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
  - 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](http://www.planningportal.gov.uk/planning/appeals)**

### Notes

- Please note, only the applicant possesses the right of appeal.
- 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.
- 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.
- 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.
- 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.