



NYMNP

21/04/2023

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

Telephone: 01439 772700
Email: planning@northyorkmoors.org.uk
Website: www.northyorkmoors.org.uk

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

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.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Land East of 12 Esk View

Applicant Details

Name/Company

Title

Mr

First name

Robert

Surname

Childerhouse

Company Name

The Mulgrave Estate

Address

Address line 1

The Estate Office

Address line 2

Milgrave Castle

Address line 3

Lythe

Town/City

Whitby

County

North Yorks

Country

Postcode

YO213RJ

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

NR14 7AJ

Contact Details

Primary number

Secondary number

Fax number

Email address

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Proposed development for the purposes of reserved matters (access only) following outline approval NYM/2020/0324/OU for construction of 2 no. principal residence dwellings at land east of 12 Esk View, Egton has considered your application and has granted permission for the proposed development

Reference number

NYM/2020/0913/RM

Date of decision (date must be pre-application submission)

10/02/2021

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

Condition number(s)

Condition 3. The access must be constructed in accordance with the approved details on drawing number 2008004 Rev B dated 26 January 2021. All works must accord with the approved details.

Has the development already started?

- Yes
 No

If Yes, please state when the development was started (date must be pre-application submission)

13/02/2023

Has the development been completed?

- Yes
 No

If Yes, please state when the development was completed (date must be pre-application submission)

11/04/2023

Condition(s) - Variation/Removal

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

The condition is proposed to be varied (retrospectively) to refer to a further revision of the approved drawing number 2008004 (Rev C) to reflect works installed to create the access. The works extended the tarmac'd area of the access further into the field (nb the kerbing is in accordance with the approved plans); and to relocate the gate to the end of the access to allow cattle/sheep to be loaded onto a trailer/cattle truck directly from the field rather than being funneled onto an access road between the two proposed residential dwellings.

The extended area of tarmac and relocated gate will enable cattle/sheep to be loaded onto a trailer/cattle truck directly from the main part of the field rather than being funneled onto an access road between the two proposed residential dwellings. The extended area of tarmac and relocated gate will enable tractors and trailers/cattle trucks to fully reverse off the main road to load/unload cattle/sheep direct from/into the main part of the field (with space for cattle/sheep handling equipment); will help to avoid disturbance to the residents of the proposed new dwellings caused by funneling cattle/sheep into a narrow area between the two properties, including avoiding potential for animals to enter into rear gardens; and to avoid soil compacting and mud being transferred onto the access road.

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

3. The access must be constructed in accordance with the approved details on drawing number 2008004 Rev C dated April 2023 . All works must accord with the approved details.

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?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- Yes
 No

Is any of the land to which the application relates part of an Agricultural Holding?

- Yes
 No

Certificate Of Ownership - Certificate A

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* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- The Applicant
 The Agent

Title

Mr

First Name

Robert

Surname

Childerhouse

Declaration Date

20/04/2023

Declaration made

Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

John Long

Date

20/04/2023

