

**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 John Guthrie
c/o Alan Campbell Architects
fao: Mr Alan Campbell
7 Cliff Bridge Terrace
Scarborough
YO11 2HA

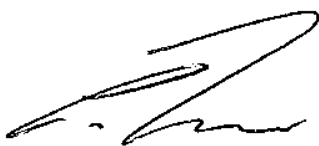
The above named Authority being the Planning Authority for the purposes of your application validated 30 May 2023, in respect of proposed development for the purposes of **partial rebuilding and conversion of barn to form two holiday letting cottages** at **Manor House Farm, Troutsdale** has considered your application and has **granted** permission for the proposed development subject to the following:

Condition(s):

1. The works authorised by this consent shall begin not later than three years from the date of this consent.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Drawing No	Date Received
Location plan	1711/01A	30/05/2023
Ground floor layout as proposed	1711/07D	5/10/2023
First floor layout as proposed	1711/08C	5/10/2023
Elevations as proposed 1	1711/09B	5/10/2023
Elevations as proposed 2	1711/10B	5/10/2023
3. No work shall commence on the construction of the walls of the development hereby permitted until details of the external materials, colour, texture and finish, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development including for walling and dressings have been submitted to and approved in writing by the Local Planning Authority. The stone used shall accord with the approved details and shall be maintained in that condition in perpetuity.
4. No work shall commence on the construction of the walls hereby approved until a sample of the materials to be used in the construction of the external surfaces shall have been prepared on site for inspection and approved in writing by the Local Planning Authority. A sample panel showing the construction materials shall be at least 1 metre x 1 metre and show the proposed material, coursing, jointing, method of tooling (if necessary), bond, mortar, pointing technique. A palette of other materials to be used in the development (including roofing, water tabling, new lintels and cills, cladding and render if necessary) shall also be made available. The development shall be constructed in accordance with the approved sample(s), which shall not be removed from the site until completion of the development.

Continued/Condition(s)



Mr C M France
Director of Planning

Date 26 October 2023

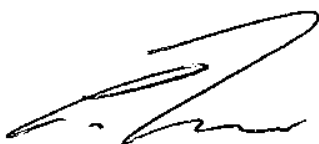
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5. All new external materials used in the development hereby permitted shall match that of the existing building including the colour and texture and finish and where these include stone and/or brick, the method of coursing and pointing in the local tradition.
6. No work shall commence on the development hereby approved until full details of all existing and proposed wall, ceiling, and floor constructions, including materials, method of construction and if required by the Local Planning Authority a sectional detail of not more than 1:5, e.g., plaster, insulation, panelling, floor construction, any applied substances and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details.
7. No work shall commence on site to demolish and reconstruct the parts of the building as specified in the survey prepared by T M Hunt Chartered Building Engineer MCABE dated 14 July 2023, until a statement detailing the method of dismantling and reconstructing the building has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for the reuse of the existing materials, safeguarding of materials, details and position of any new materials and shall include annotated drawings of the existing and proposed elevations of the building. The work shall not be carried out otherwise than in accordance with the details so approved.
8. No work shall commence on the installation of any external fixtures to the building to which this permission/consent relates until details of all external fixtures have been submitted to and approved in writing by the Local Planning Authority. The details should include for provision for any exterior lighting, heat pumps, meter boxes, signage, wall or roof flues, television antennae and satellite dishes that may be proposed to be installed. The external fixtures shall be installed wholly in accordance with the approved details.
9. Any pointing in the development hereby permitted should be based on a typical mix of a non-hydraulic quicklime mortar mixed at a ratio of 1:3 (dry non-hydraulic quicklime: sand). Joints in stonework should be carefully raked out utilising hand tools narrower than the width of the joint to a minimum depth of 1½ times the width of the joint or until sound mortar is reached. Power tools including drills, grinders must not be used. The pointing shall thereafter be so maintained in that condition in perpetuity.
10. No joints shall be raked out until a sample area which shall be at least 1m x 1m in size has been prepared on site for inspection and approved in writing by the Local Planning Authority. Joints in stonework should be carefully raked out utilising hand tools narrower than the width of the joint to a minimum depth of 1½ times the width of the joint or until sound mortar is reached. Power tools including drills, grinders must not be used. The work shall continue in accordance with the approved sample.

Continued/Condition(s)



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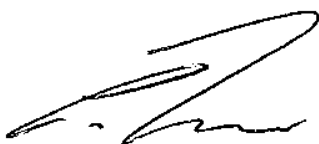
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11. All new or replacement plasterwork/render (excluding to modern stud walls) in the development hereby permitted shall accord with a specification approved in writing by the Local Planning Authority. The mix proposed should be of a traditional lime mix based on a typical mix of a non-hydraulic quicklime mortar mixed at a ratio of 1:3 (dry non-hydraulic quicklime: sand) and include the method of application and finish. A sample area may also be required by the Local Planning Authority. The plaster/render shall thereafter be so maintained.
12. The exposed surfaces of any new stonework or newly cut stone faces to the building to which this permission relates will be hand-tooled to match the existing stonework.
13. No work shall commence on the installation of any fenestration element in the development hereby approved until detailed plans showing the constructional details and external appearance of all external elements, including frames and glazing, have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate the overall fenestration design on a scale of not more than 1:20, the longitudinal and cross-sectional detailing including means of opening at a scale of not more than 1:5, and moulding details (i.e., frame, glazing bar) at a scale of not more than 1:2. All fenestration elements shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
14. The details (including tooling if necessary) of any new lintels and cills of all new windows hereby approved, 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.
15. The roof of the development hereby permitted shall be clad with traditional, handmade natural red clay pantiles the details of which shall be submitted to and approved in writing by the Local Planning Authority and shall be maintained in that condition in perpetuity.
16. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant, and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
17. Prior to the development hereby approved being first brought into use, details of the provision of bat boxes within the site, as well as other measures such as swift boxes/swallow cups/sparrow terraces etc shall be submitted to and approved in writing by the Local Planning Authority. The details shall also demonstrate how areas that will be used by nocturnal wildlife will not be illuminated. The works shall be implemented in accordance with the approved details and shall be maintained in that manner in perpetuity.

Continued/Condition(s)



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18. Notwithstanding the details shown on the approved plans, no works shall commence to install a boundary treatment between the rear terraces until details of that boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The site boundary treatment works shall then be implemented in accordance with the approved details and shall be maintained in perpetuity.
19. This permission/consent has been granted in accordance with the details specified in the survey prepared by T M Hunt Chartered Building Engineer MCABE dated 14 July 2023. More extensive works of demolition, alteration or rebuilding that does not accord with these details will render the permission invalid and will require a further grant of planning permission and/or Listed Building consent from the Local Planning Authority.

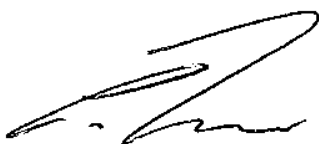
Informative(s)

1. The applicant is advised that this permission cannot be implemented until the associated planning permission has been approved by the Local Planning Authority.

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 – 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 & 7. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to minimise the risk of any unforeseen collapse of the building and to comply with the provisions of Strategic Policy I and Development Policy ENV11 which seek to ensure that alterations do not have an unacceptable impact on the special historic or architectural interest of the building.
8. In order to comply with the provisions of Strategic Policy I and Development Policy ENV11 this seek to ensure that alterations to Listed Buildings do not have an unacceptable impact on the buildings special historic or architectural interest.

Continued/Reason(s) for Condition(s)



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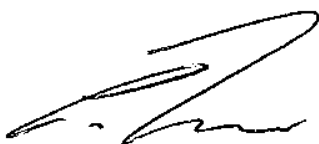
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- 9 – 12. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
- 13 & 14. 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.
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 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.
16. 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 North York Moors Local Plan Strategic Policies A and C, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development that does not detract from the quality of life of local residents; in accordance with Policy ENV4 which seeks to protect dark night skies.
17. To enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).
18. In order to comply with the provisions of Strategic Policy I and Development Policy ENV11 this seek to ensure that alterations to Listed Buildings do not have an unacceptable impact on the buildings special historic or architectural interest.
19. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to minimise the risk of any unforeseen collapse [delete if necessary] of the building and to comply with the provisions of Strategic Policy I and Development Policy ENV11 which seek to ensure that alterations do not have an unacceptable impact on the special historic or architectural interest of the building.

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 changes to the design, so as to deliver sustainable development.



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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.