

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 and Mrs Coop
c/o Stone and Associates Architects Ltd
fa: Other Project Manager
The Studio
7b Saville Street
Malton
YO17 7LL

The above named Authority being the Planning Authority for the purposes of your application validated 06 July 2023, in respect of proposed development for the purposes of **works to roof, installation of solar panels, replacement rainwater goods, new terrace surface and installation of gas heating on top floor level** at **Thorpe Hall, Middlewood Lane, Fylingthorpe** 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	Document No.	Date Received
Existing Survey, Plans and Elevations	00	29 June 2023
Proposed Plans and Elevations	00	29 June 2023
Surface Water Plan	00	28 September 2023
Bat Survey	00	28 September 2023
Confirmation of rainwater goods (black)	00	12 September 2023
3. The roof of the development hereby permitted shall be clad in natural Welsh slate to match the roof of the existing building in terms of materials, colour and course height and shall be maintained in that condition in perpetuity.
4. The solar panels should be fitted over the roof slate and the framing and bracketry associated with the solar panels hereby approved should be black and maintained in that condition in perpetuity. A further survey or report should be submitted to ensure that the addition of solar panels on the roof will not add excess weight that could compromise any historic roof timbers.
5. If the use of the solar panels hereby approved permanently ceases, it shall be removed from the roof within six months of that cessation and the roof shall, as far as practical, be restored to its condition before the installation of solar panels occurred.
6. All rainwater and foul water goods shall be painted cast iron in black or a colour to be agreed in writing by the Local Planning Authority and thereafter be so maintained in that condition in perpetuity.

Continued/Condition(s)



Mr C M France
Director of Planning

Date 01 November 2023

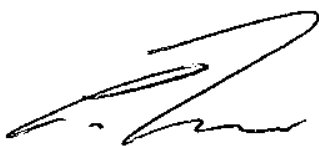
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7. The guttering to the development hereby permitted shall be directly fixed to the masonry by means of gutter spikes located within the mortar joint with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity.
8. The works to repair and replace drainage to serve the development hereby permitted should be carried out in accordance with the approved details. The discharge of water should continue to be monitored and should it remain an issue and excess water continues to build up at the base of the property, a further grant of permission should be sought for further drainage proposals.
9. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in section 7 of the submitted bat survey dated August 2023. This includes the installation of at least two bat boxes. Should the works not be carried out over the winter months as specified in the report, a bat mitigation licence will need to be submitted to the Local Planning Authority.
10. 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.
11. No work shall commence on site to lift and reconstruct the flooring for the installation of top floor heating until a statement detailing the method of dismantling and reconstruction of the floor along with any impact on surrounding details including but not limited to floor joists, skirtings and doors has been submitted to and approved in writing by the Local Planning Authority. The statement shall record the existing floor structure and provide for the reuse of the existing materials, safeguarding of materials, details and position of any new materials and pipework. The work shall not be carried out otherwise than in accordance with the details so approved.
12. The historic flagstones to be re-laid should be carefully lifted, numbered, photographed and re-bedded in the same location in accordance with the details submitted.
13. The current roof space and structure, including trusses, are to be left open and exposed. Routine checks should be carried out to review levels of moisture and infestation. A method statement should be submitted to the Local Planning Authority for any repairs or replacements to historic timbers, which should be carried out in accordance with the details received.

Continued/Condition(s)



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14. 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.

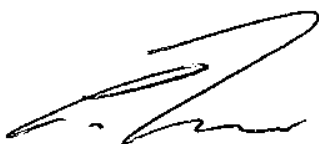
Informative(s)

1. For the avoidance of doubt, no permission or consent is given for the removal of, or works to, any internal features other than as hereby approved without the prior submission to and approval by the Local Planning Authority of a formal application.
2. Planning permission has also been granted for this development. You are advised to obtain sight of the notice of planning permission and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the planning permission.

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 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. 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.
4. For the avoidance of doubt and in order to comply with the provisions of Policy ENV11 of the North York Moors Local Plan which seeks to ensure that alterations to heritage assets do not have any unacceptable impact on the special architectural or historic interest of the building.
5. In order to return the land to its former condition and comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the landscape of the National Park.
6. 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.

Continued/Reason(s) for Condition(s)



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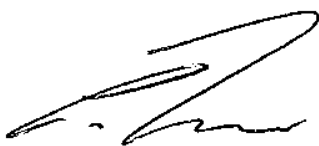
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7. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
8. To avoid pollution of watercourses and to comply with the provisions of Policy ENV7 of the North York Moors Local Plan, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
9. To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with Strategic Policy H of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
10. 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.
11. 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.
12. For the avoidance of doubt and in order to comply with the provisions of Policy ENV11 of the North York Moors Local Plan which seeks to ensure that alterations to heritage assets do not have any unacceptable impact on the special architectural or historic interest of the building.
13. 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.
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 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.

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 the occupancy of the unit and the design of the proposed fenestration elements, 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.