

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 M Greenwood
c/o Addison Planning Consultants Ltd
fao:Mr Jay Everett
Armoury House
45a Otley Street
Skipton
North Yorkshire
BD23 1EL

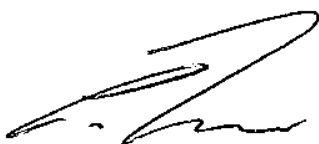
The above named Authority being the Planning Authority for the purposes of your application validated 09 August 2023, in respect of proposed development for the purposes of **demolition of single storey structures, construction of replacement single storey extensions with rooflights and solar panels together with alterations to access, parking and landscaping works** at **The Lilacs, Scar Lane, West Barnby** has considered your application and has **granted** permission for the proposed development subject to the following:

Condition(s):

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

Document Description	Document No.	Date Received
Site Location Plan	2023-072 P100 Rev A	09 August 2023
Proposed Site Plan	P102 Rev B	22 November 2023
Proposed Ground Floor Plan	P205 Rev F	22 November 2023
Proposed First Floor Plan	P206 Rev H	22 November 2023
Proposed Second Floor Plan	P207 Rev C	22 November 2023
Proposed Roof Plan	P208 Rev C	22 November 2023
Proposed Elevation 1	P220 Rev D	22 November 2023
Proposed Elevation 2	P221 Rev F	22 November 2023
Proposed Elevation 3	P222 Rev B	22 November 2023
Proposed Elevation 4	P223 Rev B	22 November 2023
Proposed Section A	P310 Rev D	22 November 2023
Proposed Section B	P311 Rev C	22 November 2023
Proposed Section C	P312 Rev C	22 November 2023
Proposed Section D	P313 Rev C	22 November 2023
Proposed Section E	P314 Rev C	22 November 2023
Proposed Section F	P315 Rev B	22 November 2023
Proposed Section G	P316 Rev B	22 November 2023
Proposed Section H	P317 Rev B	22 November 2023
Proposed Section I	P318 Rev C	22 November 2023
Bat, Breeding Bird and Barn Own Scoping Survey	N/A	October 2023

Continued/Condition(s)



Mr C M France
Director of Planning

Date 08 January 2024

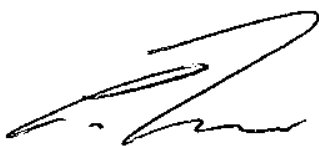
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3. No work shall commence to clear the site in preparation for the development hereby permitted until the results of a Bat Emergence survey, including any appropriate mitigation measures, have been submitted to and approved in writing by the Local Planning Authority. The details shall establish the certainty of the likely impacts of the development and outline the appropriate mitigation. The mitigation methods shall not be carried out otherwise than in accordance with the details so approved.
4. Should it be identified as a requirement of the Bat Emergence Survey, as secured by condition no. 3, no work shall commence until the copy of a European Protected Species Licence, including all appendices and supplementary documents, has been provided to the Local Planning Authority.
5. 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 F 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.
6. 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.
7. No work shall commence on the installation of any window or door 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 windows and doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
8. All new doors, window frames and glazing bars shall be of timber or aluminum construction and no other materials shall be used.

Continued/Condition(s)



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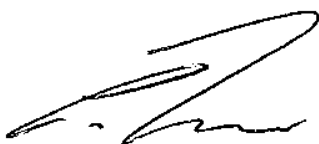
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9. The external face of the frame to all new windows shall be set in a reveal of a minimum of 100mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity.
10. No work shall commence on the installation of any door or window in the development hereby approved until details of the colour finish have been submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details so approved, completed within six months of installation and shall be maintained in that condition in perpetuity.
11. The roof of the development hereby permitted shall be clad with traditional, non-interlocking, non-pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity.
12. No work shall commence on the installation of any rooflights in the development hereby approved until full details have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be fixed or top-hung metal conservation style and shall be installed in accordance with the approved details and maintained in that condition in perpetuity.
13. External trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter.
14. All rainwater and foul water goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity.
15. All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity.
16. 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.
17. Prior to the development being brought into use full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, shall be 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. The boundary treatment shall be maintained in perpetuity.
18. The development must not be brought into use until the existing access onto Scar Lane has been permanently closed off and the verge reinstated, in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Continued/Condition(s)



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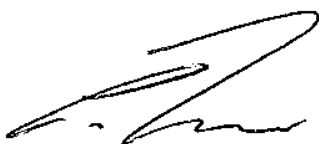
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19. The development must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:
The crossing of the highway verge must be constructed in accordance with the Standard Detail number E50A and the following requirements.
- Any gates or barriers must not be able to swing over the existing highway.
 - Provision to prevent surface water from the site/plot discharging onto the existing highway must be made and maintained thereafter to prevent such discharges.
 - The final surfacing of any private access within one metre of the public highway must not contain any loose material that is capable of being drawn on to the existing public highway.
- All works must accord with the approved details.
20. There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 33 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 1.05 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.
21. 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.

Informative(s)

1. Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire Council as the Local Highway Authority, is available to download from the [Council's web site](#): The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.
2. With reference to condition no. 21 above, further advice and guidance in relation to suitable external lighting fixtures is available on the [Authority's web site](#) or by contacting the Authority at planning@northyorkmoors.org.uk. Further general information on lighting can be found on the [International Dark-Sky Association web site](#) together with more detailed information about [outdoor lighting](#)

Continued/Informative 2



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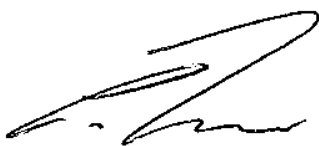
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This is to protect the nocturnal wildlife and the quality of the dark night skies above the National Park in accordance with Policy ENV4 of the North York Moors Local Plan and to support the North York Moors National Park's Management Plan Objective 9 – 'Increase the intrinsic darkness of the National Park International Dark Sky Reserve by expanding the current dark sky core zone by twenty percent by 2027'.

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. 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.
4. 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.
5. 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 and Policy CO17 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 and to maintain a suitable mix of housing types within 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 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.
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. 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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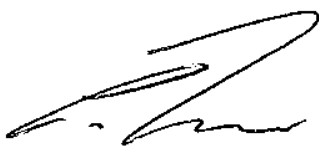
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- 9 & 10. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
11. 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.
- 12 – 16. 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.
17. In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
18. In the interests of highway safety and the amenity of the area.
19. To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.
20. In the interests of highway safety.
21. 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.

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 a reduction in the overall scale of the development and changes to the design of the proposed rear extension, so as to deliver sustainable development.



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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.