

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: National Trust
fao: Mr Jason Ritchie
Holy Jesus
City Road
Holy Jesus Hospital
Newcastle Upon Tyne
Tyne & Wear
NE1 2AS

The above named Authority being the Planning Authority for the purposes of your application validated 27 February 2024, in respect of proposed development for the purposes of **re-roofing works at Low Staindale Cottage, Dalby** 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
Roof Plan	-	27/02/2024
Mortar Specification	-	09/04/2024
3. Any new roof tiles required in the development hereby permitted shall be traditional, non-interlocking, non-pre-coloured, natural red clay pantiles and shall be maintained in that condition in perpetuity.
4. Should the extensive repair or alteration of any historic roof timbers be required, including to the truss, rafters or purlins, a schedule of repair works, and method statement should be submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details.
5. Prior to the commencement of works, the specification for any new roofing membrane should be submitted to and approved in writing by the Local Planning Authority.
6. No work shall commence on the re-roofing of the property until further bat emergence surveys have been carried out and submitted along with details of a programme of works to mitigate the impact of the development on any bats at the site. The programme shall include a survey of the buildings to determine the extent of any bat presence and a written scheme of mitigation measures including locations of any compensatory measures for bats. The work shall not be carried out otherwise than in accordance with the details submitted and approved in writing by the Authority.

Continued/Condition(s)



Mr C M France
Director of Planning

Date 23 April 2024

Please Note your Rights of Appeal are attached to this Decision Notice

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7. A copy of the required European Protected Species Licence, including all appendices and supplementary documents, shall be provided to the Local Planning Authority prior to any works covered under the licence commencing.

Informative(s)

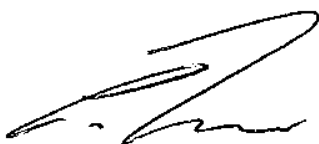
1. For the avoidance of doubt, no permission or consent is given for the removal of, or works to, any internal features other than as hereby approved without the prior submission to and approval by the Local Planning Authority of a formal application.

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. 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.
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. In order to comply with the provisions of Strategic Policy H of the North York Moors Local Plan which seeks to protect species protected under national and international legislation.
7. 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.

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 confirmed to the applicant/agent that the development is likely to improve the economic, social, and environmental conditions of the area.



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Director of Planning

Date 23 April 2024

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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.