

**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 and Mrs Jewel
c/o LJC Architectural Design
fao: Mr Gordon Henderson
309 Hub Two
The Innovation Centre
Vienna Court
Kirkleatham Business Park
Redcar, TS10 5SH

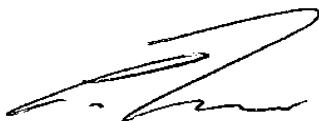
The above named Authority being the Planning Authority for the purposes of your application validated 30 August 2023, in respect of proposed development for the purposes of **demolition of side extensions, construction of replacement single storey side extensions to create additional accommodation, construction of single storey rear extension with flue and siting of shepherds hut, potting shed, greenhouse for domestic purposes and siting of oil tank to side of dwelling, together with creation of pond (part retrospective) at East End Farm, East End, Egton** 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 |
|-----------------------------|---------------------|----------------------|
| Amended Location Plan | N/A | 17 May 2024 |
| Amended Plans & Elevations | Drwg 02 Rev H | 17 May 2024 |
| Domestic Structures | Drwg 04 | 2 February 2024 |
| Proposed Pond | Drwg 04 | 2 February 2024 |
3. 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.
4. The shepherds hut hereby approved shall be used for domestic purposes incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the shepherd's hut hereby permitted to form overnight accommodation.
5. The potting shed, greenhouse and chicken coop shall be used for domestic purposes incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the structures hereby permitted to permanent residential accommodation.

Continued/Condition(s)



Mr C M France
Director of Planning

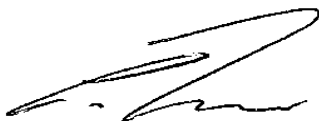
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6. All new external materials used in the development hereby permitted shall match that of the existing building including the colour and texture and finish and where these include stone and/or brick, the method of coursing and pointing in the local tradition.
7. 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. The details submitted shall include the proposed colour of the windows and doors (and frames). All fenestration elements shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
8. 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.
9. External trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter.
10. 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.
11. All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity.
12. The external surface of the roof of the potting shed and shepherds hut hereby permitted shall be coloured dark grey or black within 6 months of the date of this decision and shall be maintained in that condition in perpetuity.
13. The external timber cladding and timber structural frame of the potting shed hereby approved shall be stained dark brown within 6 months of the date of this approval and maintained as such in perpetuity.
14. The exterior of the shepherds hut hereby approved shall be painted or stained a dark colour within six months of the date of this decision and maintained as such in perpetuity.
15. No first floor or mezzanine shall be constructed within the extension hereby permitted.
16. The pond hereby approved shall not be used for any commercial purpose, including any sporting or shooting activities. No supplementary feeding (for example of ducks and gamebirds) shall be carried out within or around the edges of the wildlife pond hereby permitted, and there shall be no introduction of fish or ducks to the pond in order to ensure that the ecological value of the pond is maximised.

Continued/Condition(s)



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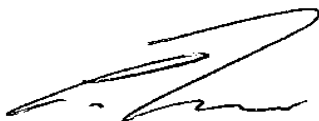
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17. There must be no access or egress by any vehicles between the highway and the application site at East End farm until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road from a point measured 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.
18. Details of biodiversity enhancements, such as bat/bird boxes shall be submitted and agreed in writing by the Local Planning Authority. The agreed details shall be maintained as such in perpetuity.

Informative(s)

1. Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from the [Gov.UK web site](#). Further information on wildlife legislation relating to birds can be found on the [Royal Society for the Protection of Bird's web site](#). If advice is needed, please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.
2. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately, and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.
3. Swift populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the [Swift Conservation website](#); with additional swift box ideas from [Action for Swifts](#).

Continued/Reason(s) for Condition(s)



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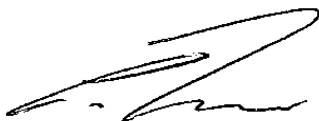
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Reason(s) for Condition(s)

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. 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.
- 4 & 5. In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with Strategic Policies B and M of the North York Moors Local Plan and would be likely to adversely affect the amenities of existing and future occupiers of the site.
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 – 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. In order to comply with Policy CO17 to ensure that the varied mix of housing stock is preserved within the National Park.
16. 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.
17. In the interests of highway safety.
18. 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.

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 reduction in scale and amended design, so as to deliver sustainable development.



Mr C M France
Director of Planning

Date 23 May 2024

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](#)

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.