

**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 Fiddler
c/o David Salisbury Joinery
fao: Mrs Christine Melody
65 Pennymoor Drive
Middlewich
CW10 9QP

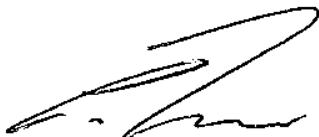
The above named Authority being the Planning Authority for the purposes of your application validated 27 September 2018, in respect of proposed development for the purposes of **variation of conditions 2 (material amendment) and 3 of planning approval NYM/2017/0023/FL to replace the stone columns and fascia with painted timber at Victoria Hotel, Station Road, Robin Hoods Bay** has considered your application and has **granted** permission for the proposed development subject to the following conditions:

1. The development hereby permitted shall be commenced before the 15 January 2019.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Proposed Plans	10423/03 rev A	17 October 2018
Proposed Elevations	10423/04 rev A	17 October 2018
Detail section	10423/05	25 September 2018
Detail section	10423/06	25 September 2018
Lantern eaves detail	10423/07	25 September 2018
Lantern ridge detail	10423/08	25 September 2018
Detail section	10423/09	25 September 2018

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. The brick used for the external surfaces of the development hereby approved shall be in accordance with that approved under NYM/2018/0613/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
4. The roof tiles used for the development hereby approved shall be in accordance with that approved under NYM/2018/0613/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
5. The external doors and windows installed in the development hereby approved shall be in accordance with that approved under NYM/2018/0613/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.

Continued/Conditions



Mr C M France
Director of Planning

Date 16 November 2018

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

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2018/0638/FL

6. All new window frames, glazing bars and external door frames shall be of timber construction, painted to match the existing within six months of the date of installation and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
7. No work shall commence to stain/paint the timber columns and fascias of the orangery hereby approved until details of the paint colour/finish of the windows and doors has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the approved details within six months of being installed and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8. No work shall commence on excavation works to install drainage to serve the development hereby permitted until full details of the proposed means of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the drainage works have been completed in accordance with the approved details.

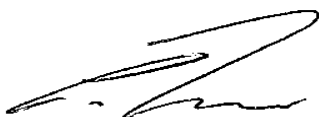
Informatives

1. The applicant is advised that prior to the commencement of any works required to implement the permission hereby granted, an application for Building Regulations Approval will need to be submitted to and approved by the North Yorkshire Building Control Partnership (or independent equivalent). The North Yorkshire Building Control Partnership can be contacted on 01347 822703 or by e-mail at enquiries@nybcp.org

Reasons for Conditions

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 NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
- 3 – 5. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.
7. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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/Reasons for Conditions




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8. To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.

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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Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, 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.