

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 I Buckle  
c/o B C & T Consultants  
Arundel Howe  
Byland Road  
Whitby  
YO21 1JH

The above named Authority being the Planning Authority for the purposes of your application received 19 November 2003, in respect of proposed development for the purposes of construction of a dwelling and a garage (revised scheme) at land adjacent to the Old Rectory, Beacon Way, Sneaton have considered your said application and have granted permission for the proposed development subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The development hereby approved shall only be carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved unless otherwise with the prior written agreement of the local planning authority.
3. The occupation of the dwelling hereby permitted shall be limited to:
  - (a) a qualifying person; and
  - (b) a wife or husband (or person living as such), licensee, dependant or sub-tenant of a qualifying person.

For the purpose of the above, a person is a qualifying person in relation to the dwelling if he has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he satisfied the local planning authority that he was in need of affordable housing in terms of the criteria set out in policy H2 of the adopted North York Moors Local Plan, namely that he:

- (1) has been permanently resident within the National Park (see Note B) for at least 3 years and needs separate or different accommodation (eg people forming a household for the first time, leaving tied accommodation on retirement, currently living in accommodation which is overcrowded or otherwise unsatisfactory); or
- (2) while not now resident within the parish, has either long standing links with the local community, which must include a previous period of residence of 3 years or more, or an essential need arising from age or infirmity to move to a village to be near relatives who have been permanently resident within the National Park for at least the previous 3 years; or

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*V A Dilcock*

Mrs V A Dilcock  
Chief Planning Officer

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Conditions (Continued)

3. (3) has an essential need to live close to his work in the parish or adjoining parishes within the National Park which may include people with the offer of a job within the parish who cannot take up the offer because of lack of affordable housing;

and has obtained confirmation in writing from the authority that they were so satisfied.

Note A:

For the purposes of the above, a person has an interest in the dwelling if he has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.

Note B:

For the purposes of the above, resident within the National park will include the whole of parishes, split by the National Park boundary with the exception of the following 'urban' parishes where the main town or village is outside the National Park: Pickering, Kirkbymoorside, Great and Little Broughton, Great Ayton, Newby and Scalby.

4. Details of the stone, including samples if so required by the local planning authority, to be used to the external walls of the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any laying of foundations for the development is commenced and all the stone used in the development shall conform to the details/samples so approved.
5. The roof of the development hereby permitted shall be clad with traditional, non-interlocking, non-pre coloured natural red clay pantiles and thereafter be so maintained.
6. All new window frames, glazing bars and external door frames shall be of timber construction, white painted and thereafter be so maintained.
7. The external face of the frame to all new windows shall be set in a reveal of a minimum of 10 cm from the front face of the adjacent walling and thereafter be so maintained.
8. The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilized in the development and shall thereafter be so maintained.
9. The rainwater goods utilized in the development hereby permitted shall be coloured black and thereafter so maintained.
10. Notwithstanding the details shown on the ground floor plan, garage doors shall be side hinged, timber vertical boarded doors, stained dark brown and thereafter be so maintained.

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11. The existing trees/hedging within the site shall be retained and shall not be pruned, lopped or felled without the prior written agreement of the local planning authority other than in strict accordance with the details forming part of the approved plans.
12.
  - i. No trenches including any trench for services or drains shall be sited within the crown spread of any trees both on site or overhanging the site from a neighbouring property.
  - ii. No demolition, site clearance or building operations shall commence until chestnut paling fencing (or other type of fencing approved by the local planning authority) of a height not less than 1.3 metres has been erected around each tree or tree group to be retained on site or overhanging at a radius from the trunk of not less than 5 metres or within the crown spread. Such fencing shall be maintained during the course of the development operations and no materials, equipment or other items shall be placed or stored within the area enclosed by the fencing so erected
  - iii. Destruction by burning of materials, including any obtained by site clearance or demolition, shall not take place within 6 metres of the furthest extent of the canopy of any tree or tree group to be maintained on the site or on adjoining land. No tree felling, lopping or removal of branches from trees to be retained on site shall be carried out without the prior approval in writing of the local planning authority. No topsoil or other spoil from excavations shall be disposed of by spreading on the site or shall be stored on site within the branch spread of trees to be retained.
13. Vehicular access, parking and turning facilities shall be formed in accordance with the submitted drawings before the development hereby permitted is first brought into use and shall thereafter be kept available for such use and maintained clear at all times of any other obstruction.
14. The garage(s) hereby permitted shall not be used for purposes other than domestic purposes with sufficient space maintained free of obstruction for the parking of motor vehicles associated with the adjacent dwelling.
15. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
16. No foundations shall be dug until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.

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Conditions (Continued)

17. Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act, 1990.
2. To avoid doubt and accord with the provisions of Local Plan policy GP3.
- 3 to 9. The local planning authority is anxious to ensure that the materials used will be in character with the materials in general use in the area in accordance with the provisions of Local Plan policy BE6.
- 10 & 11. The trees are an important local amenity.
- 12 & 13. To provide for appropriate on-site vehicle parking facilities with associated access and manoeuvring areas, in the interests of highway safety and the general amenity of the development.
14. In the interest of satisfactory and sustainable drainage.
15. To ensure that the development can be properly drained.
16. To protect the amenities of nearby residents in particular and this area of Sneaton in general and accord with the provisions of Local Plan policy GP3.
17. To ensure that no surface water discharges take place until proper provision has been made for their disposal.

Development Plan policies relevant to the decision

Local Plan GP3 - General Development Policy  
H1 - Local Need Settlements

Summary of Development Plan policies and reasons for recommendation

Approval is recommended in view of the extant permission for the erection of a dwelling on this site, it is considered that the proposal would not have a detrimental impact on the landscape or street-scene, therefore satisfying policy GP3.

V A Dilcock

Mrs V A Dilcock,  
Chief Planning Officer