

**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: Mrs Samantha Pearson
Red House
Thorpe Lane
Fylingthorpe
YO22 4TH

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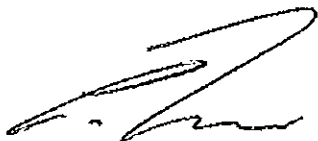
The above named Authority being the Planning Authority for the purposes of your application validated 15 July 2016, in respect of proposed development for the purposes of **subdivision to create 1 no. additional unit of residential accommodation for local occupancy letting at Post Office, King Street, Robin Hoods Bay** has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The occupation of the dwelling hereby permitted shall be limited to:
 - i) a qualifying person; and
 - ii) 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/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she satisfied the Local Planning Authority that he/she was in need of local needs housing in terms of the criteria set out in Core Policy J of the adopted North York Moors Local Development Framework, namely that he/she:

- a) is currently living in and has permanently resided in the National Park for five years or more and is living in accommodation that no longer meets their requirements or
- b) does not currently live in the National Park but has a strong and long standing link to the local community including a previous period of residence of five years or more or

Continued/Condition 3



Mr C M France
Director of Planning

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Date ... 19 SEP 2016

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2016/0500/FL

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Condition 3 (Continued)

- c) has an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous five years or more and require support for reasons of age or infirmity or
- d) requires support for reasons of age or infirmity and need to move to live close to relatives who are currently living and have resided in the National Park for at least the previous five years or more or
- e) needs to live in the National Park as a result of current sole employment within that parish or adjacent parishes within the National Park.

Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points a - e above.

Note A: For the purposes of the above, a person has an interest in the dwelling if he/she 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 following exceptions; Allerston, Beadlam, Burniston, East Ayton, East Harlsey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.

- 5. The dwelling unit hereby permitted shall form and remain part of the curtilage of the existing dwelling known as The Old Post Office, King Street, Robin Hoods Bay and shall not be sold or leased off from the main dwelling or let off except as a single local occupancy dwelling unit in accordance with the terms of condition 3 above without a further grant of planning permission from the Local Planning Authority.

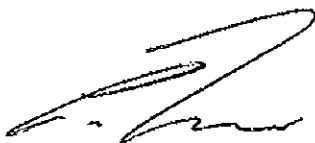
Informative

Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the Listed Building consent.

Reasons for Conditions

- 1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.

Continued/Reasons for Conditions



Mr C M France
Director of Planning

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Date ... 9 SEP 2016

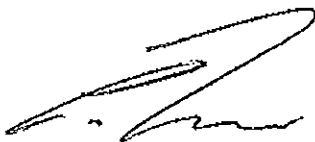
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Conditions (Continued)

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. In order to comply with NYM Core Policy J which seeks to restrict the occupancy of new residential development to those with a local links and an essential need to live in the locality.
5. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Mr C M France
Director of Planning

Date ... 9 SEP 2016

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