

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: Home Group
c/o Bramhall Blenkham
faa: Mr Patrick Cuddy
Unit 13
The Maltings
Malton
YO17 7DP

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The above named Authority being the Planning Authority for the purposes of your application validated 30 August 2016, in respect of proposed development for the purposes of **variation of condition 2 (material amendment) of planning approval NYM/2013/0147/FL to regularise pumping station, layout, landscaping and hardsurfacing works, walls and fences, alterations to car ports and installation of street light columns together with erection of canopies, omission of rooflights, alterations to guttering and installation of gas boxes to dwellings at land off Eskdaleside, Sleights** has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

- 1 The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Site plan general arrangement	1031_GA10_01 Rev E	18 July 2016
Block 1 plan	1031_GA20_01 Rev H	18 July 2016
Block 2 plan	1031_GA20_02 Rev F	18 July 2016
Block 3 plan	1031_GA20_03 Rev E	18 July 2016
Block 4 plan	1031_GA20_04 Rev J	18 July 2016
Block 1 elevations	1031_GA30_-1 Rev H	18 July 2016
Block 2 elevations	1031_GA30_02 Rev L	18 July 2016
Block 3 elevations	1031_GA30_03 Rev H	26 September 2016
Block 4 elevations	1031_GA30_04 Rev G	18 July 2016
Carport 1	1031_GA50_01 Rev D	18 July 2016
Carport 2	1031_GA50_02 Rev C	18 July 2016
Carport 3	1031_GA50_03 Rev C	18 July 2016
E-mail & plan re landscaping/fencing	Home Group	16 November 2016
E-mail re: landscaping on bank (heather planting)	Home Group	18 November 2016

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

Continued/conditions

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Mr C M France
Director of Planning

2 MAR 2017
Date

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.

TOWN AND COUNTRY PLANNING ACT 1990

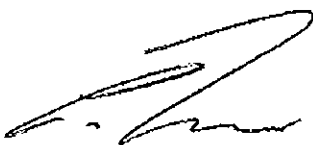
Continuation of Decision No. NYM/2016/0533/FL

Conditions (Continued)

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- 2 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 C 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.
- 3 The materials used for the external surfaces of the development have been approved in writing by the Local Planning Authority and shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
- 4 All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 5 The paint colour/finish of the windows and doors has been approved in writing by the Local Planning Authority and shall be maintained in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 6 The external face of the frame to all new windows shall be set in a reveal of a minimum of 75mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 7 Unless otherwise agreed the guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 8 The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 9 Within three months of the date of this decision a scheme for the provision of suitable bird and bat nest boxes shall be submitted to an approved in writing by the Local Planning Authority. The scheme shall be implemented within one year of the development being brought into use and maintained as such in perpetuity.
- 10 All hard and soft landscape works comprised in the approved details of landscaping shall be carried out no later than the next planting and seeding seasons in accordance with a programme agreed by the Local Planning Authority (referred to in Condition 1 above). Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Continued/conditions



Mr C M France
Director of Planning

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2 MAR 2017

Date

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2016/0533/FL

Conditions (Continued)

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- 11 The system to generate energy on site from renewable sources to displace at least 10% of predicted CO2 emissions has been approved by the Local Planning Authority. The approved details shall be maintained in working order unless the prior written agreement of the Local Planning Authority has been obtained.
- 12 A scheme of mitigation has been submitted to and approved by the Local Planning Authority to ensure that no building or other obstruction is located over or within 3m either side of the 315mm raw water main that is located within the site boundary. The development shall be maintained in accordance with the approved details in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 13 The water pumping station within the red line plan hereby approved shall remain fully functional at all times and be properly maintained in perpetuity in accordance with the approved details.

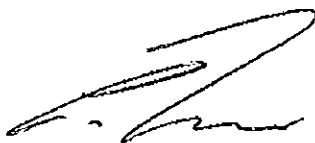
Informative

This consent is issued subject to the terms of the Agreement (under Section 106 of the 1990 Town and Country Planning Act) dated 10 February 2017 between the North York Moors National Park Authority and Home Group Limited to secure affordable dwelling criteria, housing need and local connection occupancy restrictions and vacancy advertising provisions.

Reasons for Conditions

- 1 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.
- 2 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 NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
- 3 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.
- 4-8 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.
- 9 To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

Continued/Reasons for conditions



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Director of Planning

- 2 MAR 2017
Date

Decision Approve

TOWN AND COUNTRY PLANNING ACT 1990

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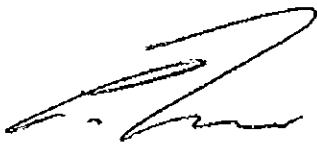
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Continued (Reasons for Conditions)

- 10 In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
- 11 In order to comply with the provisions of NYM Core Policy D which seeks to ensure that new development contributes to reduce carbon emissions.
- 12 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
- 13 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 recommended changes to the proposal so that it is both deliverable and is a sustainable development.



Mr C M France
Director of Planning

- 2 MAR 2017

Date

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