

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: Hackness Estate  
c/o Carter Jonas LLP  
fao: Mr Jonathan Wilson  
82 Micklegate  
York  
YO1 6LF

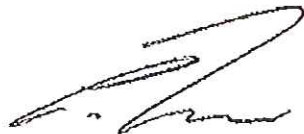
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The above named Authority being the Planning Authority for the purposes of your application validated 15 February 2016, in respect of proposed development for the purposes of conversion of and extension to disused commercial buildings to form 1 no. dwelling with associated garden and parking (revised scheme to NYM/2013/0016/FL) at Old Joiner's Shop, Wrench Green, Scarborough 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. 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.
4. 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:

Continued/Condition 4



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Condition 4 (Continued)

- 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
- 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.

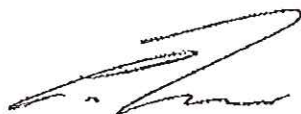
Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points a - e above.

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. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
- 6. This permission has been granted in accordance with the details specified in the Structural Report prepared by Jonathan Wilson MRICS FAAV received on 12 February 2016. More extensive works of demolition and rebuilding that does not accord with these details may render the permission invalid and may require a further grant of planning permission from the Local Planning Authority.
- 7. All pointing in the development hereby permitted shall accord with the following specification - a lime mortar mix of 1:2½ (lime; sand (sand mix of 50% sieved sharp sand and 50% builder's sand) with a slightly recessed bagged finish.
- 8. All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.

Continued/Conditions



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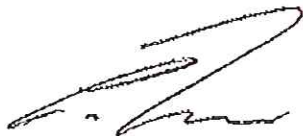
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Conditions (Continued)

9. No work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames shall be installed 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.
10. 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.
11. No work shall commence to stain/paint the windows and doors in the development 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.
12. The external face of the frame to all new windows shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13. The lintels and cills of all new windows hereby approved, together with any replacement lintels and cills, shall be of natural or reclaimed stone to match the existing in terms of dimension, tooling, shape, colour and texture and shall be maintained in that condition in perpetuity.
14. 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.
15. 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.
16. All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Continued/Conditions



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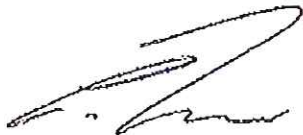
Continuation of Decision No. NYM/2015/0864/FL

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Conditions (Continued)

17. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
- (i) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E9A.
  - (ii) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed and maintained thereafter to prevent such discharges.
  - (iii) The final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
18. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- i) vehicular turning arrangements;
19. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number:
- i) have been constructed in accordance with the submitted drawings and are available for use unless otherwise approved in writing by the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
20. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraphs 8.1-8.4 of the submitted Bat Survey dated 26 January 2016.

Continued/Informatives



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TOWN AND COUNTRY PLANNING ACT 1990

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Continuation of Decision No. NYM/2015/0864/FL

**Informatives**

1. This consent is issued subject to the terms of the Agreement (under Section 106 of the 1990 Town and Country Planning Act) dated 22 October 2014 between the North York Moors National Park Authority and The Honourable Francis Patrick Harcourt Johnstone to ensure that the freehold title of the dwelling shall remain part of the Hackness Estate and that the dwelling shall not be occupied except as a local needs letting dwelling by a qualifying person.
2. In relation to condition 17 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
3. In relation to condition 18 the proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development - A Guide' available at [www.northyorks.gov.uk](http://www.northyorks.gov.uk)
4. 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.

**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. 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.
4. 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. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.

Continued/Reasons for Conditions



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Decision Approve

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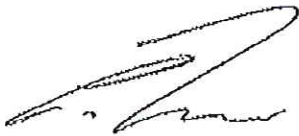
Continuation of Decision No. NYM/2015/0864/FL

**Reasons for Conditions (Continued)**

6. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of NYM Development Policy 5.
- 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 building materials
8. are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
- 9 – For the avoidance of doubt and in order to comply with the provisions of NYM Core
16. 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.
17. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
18. In accordance with NYM Development Policy 23 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
19. In accordance with NYM Development Policy 23 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
20. 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.

**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.



Mr C M France  
Director of Planning

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Date 13 JUN 2015