

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: Dr Ilona Franklin  
Woodleigh House,  
21 Main Road,  
Aislaby  
Whitby  
YO21 1SW

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The above named Authority being the Planning Authority for the purposes of your application validated 20 July 2017, in respect of proposed development for the purposes of **removal of condition 4 to planning approval NYM/2015/0732/FL to remove the restriction tying ownership to main house at Woodleigh House, 21 Main Road, Aislaby (now known as Chestnut Barn 21b Main Road Aislaby)** 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 permitted shall not be carried out other than in strict accordance with the following documents:

| Document Description | Document No.   | Date Received    |
|----------------------|----------------|------------------|
| Site location        | 3.122-01 Rev B | 19 October 2015  |
| Site plan            | 3.122-02 Rev B | 19 November 2015 |
| Proposed elevations  | 3.122-06 Rev C | 11 December 2015 |
| Proposed floor plans | 3.122-08 Rev C | 11 December 2015 |

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

3. The dwelling unit hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.
4. The door openings on the west elevation of the development hereby permitted, other than the door into the kitchen/lounge area, shall be not be capable of being opened and shall be maintained in that condition in perpetuity.
5. This permission has been granted in accordance with the details specified in the survey prepared by Richard Agar received on 8 October 2015. 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.
6. 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% builders sand)) with a slightly recessed bagged finish.

Continued/Conditions

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Director of Planning

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Date 14 SEP 2017



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Conditions (Continued)

7. 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.
8. No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. All new window frames and glazing bars shall be installed in accordance with the details approved under application no. NYM/2016/0184/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10. All new window frames and glazing bars shall be painted in accordance with the details approved under application no. NYM/2016/0184/CVC. 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.
11. The infill panel to the garage doors, new door and window to the east elevation should be set to the inside wall face to maximise reveals and shall be maintained in that condition in perpetuity unless otherwise agreed in writing by the Local Planning Authority. Detailed plans showing the depth of reveal shall be submitted to and approved in writing by the Local Planning Authority.
12. No work shall commence on the installation of any rooflights in the development hereby approved until full details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be conservation style rooflights and shall be installed in accordance with the approved details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13. 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.
14. 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.
15. All hard and soft landscape works comprised in the approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. 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  
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14 SEP 2017  
Date .....



Conditions (Continued)

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16. No work shall commence to clear the site in preparation for the development hereby permitted until protective fencing to form a Tree Protection Zone has been installed around each tree or tree group to be retained, unless otherwise agreed in writing with the Local Planning Authority. The fencing shall comprise a secure vertical and horizontal framework of scaffolding supporting chestnut paling or chain link fencing no less than 1.3 metres in height (or of a specification to be agreed) and shall be positioned at a distance from the trunk as set out in accordance with guidance given in British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations. No excavations for services, storage of materials or machinery, parking of vehicles, depositing or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as a Tree Protection Zone.

The protective fencing around each Tree Protection Zone shall not be removed or repositioned for the full duration of the development hereby approved without the prior written consent of the Local Planning Authority.

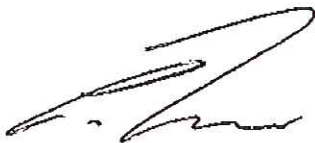
Informatives

1. Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building (NYM/2016/0734/LB) 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.
2. 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. The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling.

Continued/Reasons for Conditions



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**Reasons for Conditions (Continued)**

4. 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.
5. 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.
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 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.
- 7 – For the avoidance of doubt and in order to comply with the provisions of NYM Core
14. 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.
15. 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.
16. In order to comply with the provisions of 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.



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