

**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 John Robinson
c/o Mr Peter Lawrence
P J Lawrence L.I.B. Solicitor
23 Larchfield
Stockton Lane
York
YO31 1JS

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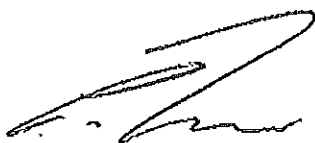
The above named Authority being the Planning Authority for the purposes of your application registered 14 May 2012, in respect of proposed development for the purposes of **variation of condition 3 of planning approval NYM5/6/1313 to replace agricultural occupancy condition with local occupancy letting or holiday accommodation condition at Charm View & Woodland View, High Kingthorpe, Pickering** has considered your said application and has **granted** permission for the proposed development subject to the following condition(s):

1. The permission hereby granted is valid only for two years from the date of this permission and the use shall be discontinued and the site restored to its former condition before this consent expires.
2. The accommodation hereby approved shall not be sold off separately from the existing main dwelling known as High Kingthorpe and shall remain as part of the curtilage of this main dwelling as a single planning unit, and shall be used for either short or long term local needs letting purposes as defined in condition 3 below or for holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for periods not exceeding a total of 28 days in any one calendar year.
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) are currently living in and have permanently resided in the National Park for five years or more and are living in accommodation that no longer meets their requirements or
- b) does not currently live in the National Park but have 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

09 JUL 2012
Date:

DecisionApproveAgent

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0324/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 exception of the following exceptions; Allerston, Burniston, East Ayton, East Harlsey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingelby Arncliffe, Irtton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton Beadlam, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.

Reason(s) for Condition(s)

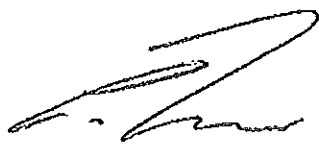
1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for local needs letting or holiday accommodation has been permitted to provide an alternative to leaving these dwellings vacant in the short term in accordance with NYM Development Policy 22.
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 need to live in the village.

Development Plan Policies Relevant to the Decision

Local Development Framework DP22 – Removal of Agricultural Occupancy Conditions

Reason for Approval

Charm View and Woodland View are presently not required to provide farm workers accommodation at High Kingthorpe. However it has not been established whether there is a long term need for farm workers accommodation to serve this holding or others in the locality. As such it is considered that a temporary relaxation of the occupancy condition to enable full and proper marketing of the dwellings as farm workers accommodation and an assessment of the need for the accommodation on the holding at High Kingthorpe to take place would not be contrary to Development Policy 22 of the NYM Local Development Framework.



Mr C M France
Director of Planning

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09 JUL 2012
Date