

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 and Mrs M Pullan
c/o Reeve Associates
4A Prospect Hill
Whitby
YO21 1QL

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The above named Authority being the Planning Authority for the purposes of your application dated 23 July 2002, in respect of proposed development for the purposes of conversion of agricultural outbuildings to three holiday accommodation units at Meeting House Farm, Staintondale have considered your said application and have granted permission for the proposed development subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in accordance with the application plans as amended by the plans received at the National Park Office on the 16 September 2002 and further plans received on 7 October 2002.
3. The stonework and roofing tiles of the development hereby permitted shall match as closely as possible those of the existing building, including the colour and texture of the stone and the method of coursing and pointing.
4. All new window frames, glazing bars and external door frames shall be of timber construction and either stained dark brown or painted a dark colour to be agreed in writing by the local planning authority and thereafter be so maintained.
5. The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilized in the development and shall thereafter be so maintained.
6. The rainwater goods utilized in the development hereby permitted shall be coloured black and thereafter so maintained.
7. Prior to the commencement of the development hereby permitted full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, shall be submitted to and approved in writing by the local planning authority. The site boundary works shall then be implemented in accordance with the approved details.

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V A Dilcock

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Mrs V A Dilcock
Chief Planning Officer
NOTE :-

Date 26 NOV 2002

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.

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, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. The Secretary of State can allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to 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 his right of appeal as above mentioned, he should do so on the appropriate form obtainable from:-

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

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Continuation of Decision No. NYM4/027/0066C/PA

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Conditions (Continued)

8. Prior to the commencement of any other part of the development hereby permitted, the access(es) to the site shall be laid out and reconstructed with the following requirements:
 - i. the crossing of the highway verge and/or footpath shall be constructed on accordance with the approved details and based on standard detail number E9 and the specification of the local highway authority.
 - ii. any access gates shall be made to open inwards only.
9. Prior to the commencement of the development hereby approved, full details of the location of soakaways with details of measures to avoid draining into the adjacent bridleway shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the development hereby approved is brought into use.
10. The dwelling units 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 financial year.
11. The development hereby permitted shall not be sub-divided, let out (except in accordance with the terms of Condition 10 above) or sold off separately from the main unit known as Meeting House Farm and shall be operated as one functional unit.

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act, 1990.
2. To avoid doubt.
- 3 to 6. The local planning authority is anxious to ensure that the materials used will be in character with the materials in general use in the area.
7. To protect the amenities of nearby residents in particular and this area of Staintondale in general.

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V A Dilcock

Mrs V A Dilcock
Chief Planning Officer

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Reason for Conditions (Continued)

8. In the interests of the safety and convenience of users of the highway and of the free flow of traffic on the highway.
9. In order to ensure that this proposal does not adversely affect the adjacent bridleway in terms of water logging.
10. The local planning authority does not consider that the application site is in an area where permanent residential development is appropriate.
11. Due to the close proximity of the proposed holiday cottages with the farmhouse and working farm, it is considered that the two units should remain under the same operation.

V A Dilcock

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Mrs V A Dilcock
Chief Planning Officer