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Dear Sirs



Planning Application for removal/variation of condition nos 8 and 10 of Planning Approval no. NYM/2004/0396/FL and NYM2004/0397/LB to allow whole of property to be used for residential accommodation and to be available as an open market dwelling for sale.

Further to your Hilary Saunders Email of 02/12/2014 and my subsequent tel.conversation I enclose duly completed forms together with relevant plans. I understand from Hilary that The application should be in the form attached if permission is to be obtained for full residential use and therefore available for open market sale.

In support of The Application I would wish to make the following points:-

The relevant conditions were originally imposed under a now redundant policy and since that time the property has been improved and changed (with various permissions and including demolition of outbuildings and erection of garage and stables and internal improvements.) It is now arranged as a large family house and the conditions now represent an anachronism. The property is clearly prominently used as a dwelling.

The present conditions are very restrictive and unreasonable particularly since the Planning policy has now changed. Hilary Saunders Email indicates that the present conditions are considered very restrictive and more restrictive than the present policy. However it also indicates that were these conditions to be lifted then a Local occupancy condition would be imposed. In this case my client considers such a condition would also be too restrictive because a large family dwelling of this nature has a very restricted market anyway simply because of its size and consequent high value. Even on the open market such a large dwelling has restricted appeal and to impose a further restriction is unreasonable and in the future could render the property almost unsaleable and it could even become unoccupied. This is surely an undesirable scenario for The Planning Authority.

It is understood that from April 2014 The Government has made changes to permitted development rights to allow changes of use of farm buildings to residential use and although I understand these rights do not apply to Listed Buildings and National Park areas (as in this case) and larger units nevertheless the clear intention is to make a more flexible approach to changes of use in agricultural situations and to encourage Authorities to make more dwellings available without major restrictions. It is argued that the limitations imposed on these new rights are to make sure that alterations to buildings (which are often necessary) are carried out without any detriment to the buildings concerned. In this case there would be no alterations to the buildings at all since the rooms forming the workspaces are integral to the rest of the building and the main residential areas. The granting of this present Application would therefore have no adverse impact on the environment. It is argued that the removal of the restrictive conditions in order that the property is saleable on the open market is in the spirit of government policy.

Finally I would reiterate that whilst I/my clients understand the reasons for the various past and present restrictions it is argued that this is an exceptional case and should be treated as such.

I trust all is clear but should you have any queries please ring /Email me. Email posey1@tiscali.co.uk

Yours faithfully

John Blaymires

