

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 C Thornton and B Mattinson  
C/o D J Roe  
Craig Lea  
Runswick Bay  
Saltburn By The Sea  
North Yorkshire  
TS13 5HU

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The above named Authority being the Planning Authority for the purposes of your application registered 26 September 2007, in respect of proposed development for the purposes of **construction of a two storey rear extension, conversion of store to study and attached outbuilding to form annexe accommodation together with installation of two solar heating panels at Baillie Close, Bickley, Langdale End** 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 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 in writing by the Local Planning Authority.
3. The accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling known as Baillie Close, shall form and shall remain as part of the curtilage of this main dwelling as a single planning unit, and shall be used only for members of the family of the occupier of the main dwelling.
4. All new stonework and roofing tiles used in the development hereby permitted shall match as closely as possible to those of the existing building, including the colour and texture of the stone and the method of coursing and pointing.
5. All new windows in the development hereby permitted shall match those of the existing building in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintols and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
6. 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.
7. The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.

Continued/Continued

*V A Dilcock*

Mrs V A Dilcock  
Chief Planning Officer

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Date .. 21 NOV 2007

## 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, they may appeal to the office of the Deputy Prime Minister in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. The Deputy Prime Minister 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 Deputy Prime Minister 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 Deputy Prime Minister 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 Deputy Prime Minister, 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 their right of appeal as above mentioned, they should do so on the appropriate form obtainable from:-

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

### NOTES

1. 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.
2. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2007/0804/FL

Date: 21 NOV 2007

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Conditions (Continued)

8. Prior to the first occupation of the extensions and annex hereby approved full details of the existing septic tank, including its capacity and discharge arrangements shall be submitted to and approved in writing by the Local Planning Authority. If it is found that the existing arrangements are inadequate then full details of replacement foul drainage facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the drainage works have been completed in accordance with the approved details.

Reasons For Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure the details of the development together with any subsequent insignificant variations as may be approved in writing, comply with the provisions of Policies GP3 and BE6 of the North York Moors Local Plan.
3. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Policy H4 of the North York Moors Local Plan.
4. For the avoidance of doubt and in order to comply with the provisions of Policies BE6 and GP3 of the North York Moors Local Plan 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.
5. - 7. For the avoidance of doubt and in order to comply with the provisions of Policies BE6 and GP3 of the North York Moors Local Plan 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.
8. To avoid pollution of watercourses and to comply with the provisions of Policy U4 of the North York Moors Local Plan which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.

Development Plan policies relevant to the decision

Local Plan H8 – Extensions to Dwellings  
H10 – Annexe Accommodation  
GP3 – General Development Policy

Reason For Approval

It is not considered that the proposed extension or conversion of the outbuilding to an annex would have a detrimental impact on the character of the dwelling or the amenities of the locality. The proposal is therefore in accordance with Local Plan Policies H8 and H10.

*V A Dilcock*

Mrs V A Dilcock  
Chief Planning Officer

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