

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 & Mrs Gascoyne
C/o Mr John Cotterill
Wallnook
Mount Pleasant
Allendale
Northumberland
NE47 9PA

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The above named Authority being the Planning Authority for the purposes of your application registered 17 May 2010, in respect of proposed development for the purposes of **demolition of existing bungalow and construction of replacement contemporary design dwelling at Dalby Beck, Low Dalby** have considered your said application and have **granted** permission for the proposed development subject to the following condition(s):

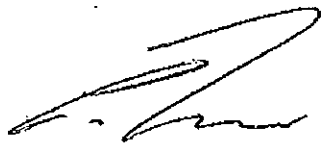
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in accordance with the application plans as amended and as set out on the following drawings:

Plan Description	Drawing No.	Date Received
Proposed ground floor plan	Dwg no. 02 Rev G	14 July 2010
Proposed lower ground floor plan	Dwg no. 01 Rev G	14 July 2010
Proposed new dwelling with existing property shown in shadow	Dwg no. 12 Rev B	14 July 2010
Proposed west and south elevations	Dwg no. 03 Rev D	14 July 2010
Proposed east and north elevations		
And proposed section	Dwg no. 04 Rev D	14 July 2010
Proposed site plan	Dwg no. 11 Rev B	14 July 2010

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H and within Schedule 2, Part 2, Classes A to C of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

Continued/Conditions



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Mr C M France
Director of Planning

Date: **21 JUL 2010**

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2010/0251/FL

Conditions (Continued)

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4. The occupation of the dwelling hereby permitted shall be limited to:
- (a) a qualifying person; and
 - (b) 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:

- (1) has been permanently resident within the National Park (see Note B) for at least 5 years; or
- (2) while not now resident within the parish, has either: a strong and long standing link with the local community which must include a previous period of residence of 5 years or more; or an essential need arising from age or infirmity to move to a village to be near relatives who have been permanently resident within the National Park for at least the previous 5 years; or require support for reasons of age or infirmity and need to live close to relations who are currently living and have resided in the park for at least the previous 5 years or more; or
- (3) has a need to live in the National Park as a result of his/her current sole employment in this parish or adjoining parishes within the National Park.

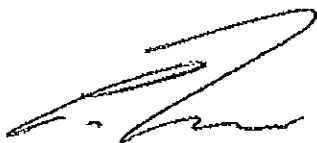
Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points 1 - 3 above.

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 'urban' parishes where the main town or village is outside the National Park: Pickering, Kirkbymoorside, Great and Little Broughton, Great Ayton, Newby and Scalby.

- 5. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
- 6. No work shall commence to clear the site in preparation for the development hereby permitted until scaled plans showing the finished floor level, eaves and ridge height of the dwelling hereby permitted in relation to the adjacent Public Right of Way to the west and field to the east have been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the details so approved.

Continued/Conditions



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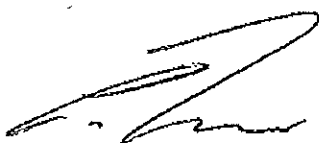
Continuation of Decision No. NYM/2010/0251/FL

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Conditions (Continued)

7. No work shall commence on the external timber cladding of the building hereby permitted until details of the colour and finish, including samples if so required have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority. The cladding shall be completed no later than one month of the development hereby permitted being first brought into use.
8. The external walls of the development hereby permitted shall be constructed in natural stone, which shall be coursed and jointed in the local tradition.
9. No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel, unless otherwise agreed in writing by the Local Planning Authority. The stone panel so constructed shall be retained until the development hereby approved has been completed.
10. The roof of the dwelling hereby permitted shall be covered in green sedum planting and thereafter so maintained.
11. No work shall commence to stain/paint the windows in the development hereby approved until details of the paint colour/finish of the windows has been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
12. The external face of the frame to all new windows shall be set in a reveal of a minimum of 6mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13. No work shall local commence on the installation of any solar thermal, solar electric panels, biomass space/water heating and heat recovery systems in the development hereby approved until full details of the proposed solar thermal, solar electric panels, biomass space/water heating and heat recovery systems have been submitted to and approved in writing by the Local Planning Authority. The solar thermal, solar electric panels, biomass space/water heating and heat recovery systems shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
14. No work shall commence to clear the site in preparation for the development hereby permitted until 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.

Continued/Conditions



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Date: . . . 27 JUL 2010

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2010/0251/FL

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Conditions (Continued)

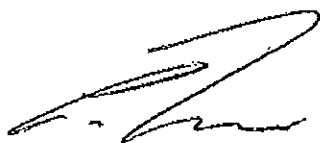
15. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the hard surfacing to be utilised on the site have been submitted to and approved in writing by the Local Planning Authority, including a timetable to implement the proposed works. The hard landscaping works shall then be implemented in accordance with the approved details.
16. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the access surfacing have been submitted to and approved in writing by the Local Planning Authority. The driveway surfacing shall then be implemented in accordance with the approved details and shall be maintained in that condition in perpetuity.
17. No work shall commence to clear the site in preparation for the development hereby permitted until details of a programme of works to mitigate the impact of the development on any bats at the site have been submitted to and approved in writing by the Local Planning Authority. The programme shall include a survey of the buildings to determine the extent of any bat presence and a written scheme of mitigation measures. The work shall not be carried out otherwise than in accordance with the details so approved.

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 Development Plan Policy 3.
3. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Core Policy A and NYM Development Policy 3.
4. 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.
5. In order to comply with the provisions of NYM Core Policy A which seeks to protect the residential amenities of adjoining occupiers.
6. In order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that new development is of a good quality and respects the character of the locality.
- 7 to 10. 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.

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Continued/Conditions



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TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2010/0251/FL

Conditions (Continued)

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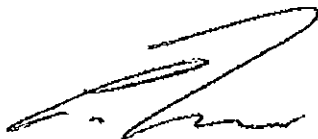
- 11 & 12. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Développement Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
13. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policies A and D and NYM Développement 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.
14. 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.
- 15 & 16. In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that development proposals incorporate suitable hard landscaping details.
17. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.

Development Plan policies relevant to the decision

Local Development Framework – CPJ – Housing
DP21 – Replacement Dwellings

Reason for Approval

It is considered that the proposed replacement would enable an unsatisfactory dwelling which is incongruous in the landscape to be replaced by one which makes a positive contribution to the character of the area. The proposal is therefore considered to comply with both Core Policy J and Development Policy 21 of the NYM Local Development Framework, and consequently approval is recommended.



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