

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 Steve Barrett  
c/o Edwardson Associates  
fao: Miss Gemma Edwardson  
Paddock House  
10 Middle Street South  
Driffield  
East Yorkshire YO25 6PT

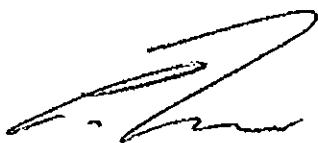
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The above named Authority being the Planning Authority for the purposes of your application registered 11 November 2010, in respect of proposed development for the purposes of **conversion of redundant agricultural buildings to form 3 no. holiday letting cottages and/or local needs letting housing at Hern Head House Farm, Troutsdale, Snainton** has considered your said application and has **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 by the plans received at the National Park Authority on the 7 December 2010, or in accordance with any minor 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.
4. The dwelling unit hereby approved shall not be used for residential purposes other than either holiday letting purposes or longer term letting for people who have a 'local need'. 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 calendar year, and 'local need' means that 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:

Continued/Condition 4



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Condition 4 (Continued)

- a) is currently living in and has permanently resided in the National Park for five years or more and is living in accommodation that no longer meets their requirements or
- b) does not currently live in the National Park but has a strong and long standing link to the local community including a previous period of residence of five years or more or
- 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 following exceptions; Allerston, Beadlam, Burniston, East Ayton, East Harlsey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irtton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.

- 5. The unit(s) of accommodation hereby permitted shall form and remain part of the curtilage of the existing dwelling know as Hern Head House Farm and shall not be leased off from the main dwelling or let off except as holiday accommodation or local letting in accordance with the terms of condition 4 above without a further grant of planning permission from the Local Planning Authority
- 6. The development hereby permitted shall not be brought into use until details of measures to generate energy on site from renewable sources to displace at least 10% of predicted CO<sub>2</sub> emissions have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the details so approved.
- 7. 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.

Continued/Conditions

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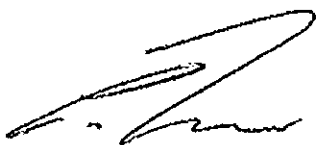
Continuation of Decision No. NYM/2010/0882/FL

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Conditions (Continued)

8. No work shall commence on site to clear or strip out the building to which this permission relates until, a full structural survey and condition report from an appropriately qualified professional has been submitted to and approved in writing by the Local Planning Authority. This report shall include an assessment of the extent to which works or repairs are necessary and the amount of new structural work needed to enable the conversion. The work shall not be carried out otherwise than in accordance with the approved details.
9. 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.
10. All new window frames, glazing bars and external doors shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11. The rooflights to be installed in the development hereby permitted shall be a Conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.
12. No work shall commence to stain/paint the windows and doors in the development hereby approved until details of the paint colour/finish of the windows and doors 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.
13. The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained.
14. The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.
15. No work shall commence to clear the site in preparation for the development hereby permitted until a scheme for draining foul water from the development has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the treatment plant has been installed and is operational in accordance with the approved details.
16. 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.
17. No work shall commence to clear the site in preparation for the development hereby permitted until details of any domestic garden areas/curtilage to be created have been submitted to an approved in writing by the Local Planning Authority.

Continued/Informative(s)



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DecisionApproveAgent

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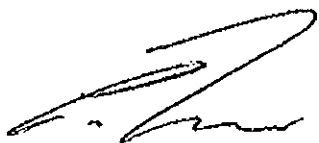
**Informative(s)**

1. This consent is issued subject to the terms of the Agreement (under Section 106 of the 1990 Town and Country Planning Act) dated 2 November 2012 between the North York Moors National Park Authority and Stephen John Barrett and Joyce Mary Barrett and HSBC BANK plc to tie the holiday/local letting accommodation to the main house.

**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. 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 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. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday or local letting accommodation has been permitted to ensure that a traditional rural building is conserved in line with NYM Development Policy 8.
5. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policy J.
6. In order to ensure that the requirements of Core Policy D of the Local Development Framework are met.
7. In order to comply with the provisions of NYM Core Policy A which seeks to protect the residential amenities of adjoining occupiers.
8. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of NYM Development Policy 8.
9. 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.
- 10 to 14. 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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
15. To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1 which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
16. To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C.
17. 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.

Continued/Development Plan Policies



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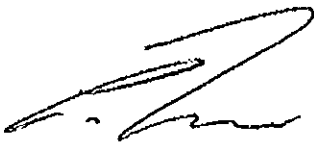
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**Development Plan Policies Relevant to the Decision**

Local Development Framework      CPA – Delivering National Park Purposes and Sustainable Development  
DP3 – Design  
DP8 – Conversion of Traditional Rural Buildings

**Reason for Approval**

The proposal is considered to comply with Core Policy A and Development Policies 3 and 8 of the NYM Local Development Framework as the development is considered to be sympathetic to the original building which is capable of conversion without requiring considerable alterations or repair.



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