

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 Mrs Sally Shaw  
C/o Victoria Wharton Architectural Design  
7 Red Scar Lane  
Newby  
Scarborough  
YO12 5RH

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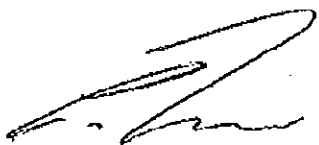
The above named Authority being the Planning Authority for the purposes of your application registered 11 April 2011, in respect of proposed development for the purposes of **change of use and extension to The Old Coastguard Lookout to form a studio dwelling at The Old Coastguard Lookout, Robin Hoods Bay** 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 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 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 five 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 five 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 five 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 five years or more; or

Continued/Condition 4



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Mr C M France  
Director of Planning

31 MAY 2011  
Date: .....

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Condition 4 (Continued)

(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.

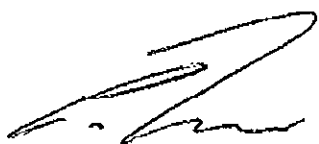
Note B: For the purposes of the above, resident within the National Park will include the whole of parishes, split by the National Park boundary with the exception of the following 'urban' parishes where the main town or village is outside the National Park: Pickering, Kirkbymoorside, Great and Little Broughton, Great Ayton, Newby and Scalby.

5. The roof of the development hereby permitted shall be clad in natural slate to match the roof of the existing building in terms of materials, colour and course height and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
6. No work shall commence on the installation of any rooflights in the development hereby approved until full details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights 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.
7. The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.
8. Prior to the first occupation of the development hereby approved, details of the exterior treatment of the timber cladding shall be submitted to and approved in writing. The cladding shall thereafter be treated in accordance with the approved details within two months of first occupation of the dwelling and thereafter shall be so maintained.

**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 the details of the development together with any subsequent insignificant variations as may be approved in writing, comply with the provisions of NYM Core Policy A and NYM 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.

Continued/Reasons Conditions



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Reasons for Conditions (Continued)

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 & 8. 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.
- 6 & 7. 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.

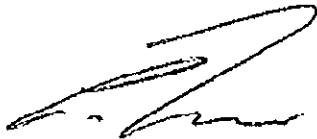
**Development Plan policies relevant to the decision**

Local Development Framework –

DP8 – Conversion to Traditional Rural Buildings  
CPJ – Housing

**Reason for Approval**

The proposal is considered to be in accordance with the aims of Planning Policy Statement 5 and although not in full accordance with Development Policy 8 and Core Policy J of the NYM Local Development Framework it would not harm the objectives of these policies as it will enable the retention and viability of this undesignated heritage asset without detriment to the buildings character, the amenities of the occupier of adjacent dwellings of the wider area.



Mr C M France  
Director of Planning

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Date .. **31 MAY 2011** ..