

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 Paul Garrett
C/o BHD Partnership
Airy Hill Manor
Waterstead Lane
Whitby
North Yorkshire YO21 1QB

COPY

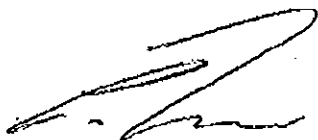
The above named Authority being the Planning Authority for the purposes of your application registered 22 February 2011, in respect of proposed development for the purposes of **construction of 1 no. dwelling at land adjacent Hollins Farm, Eskdaleside, Grosmont** have considered your said application 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



Mr C M France
Director of Planning

COPY

25 MAY 2011
Date:

DecisionApproveAgent

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2011/0090/FL

Condition 4 (Continued)

COPY

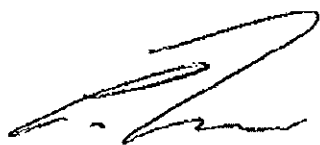
(3) has a need to live in the National Park as a result of his/her current sole employment in this parish or adjoining parishes within the National Park. Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the 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 work shall commence on the construction of the walls and roof of the development hereby permitted until details of the stone and tiles, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority and 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.
6. 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.
7. All new window frames and glazing bars shall be of timber construction and no other materials shall be used without the prior written consent of the Local Planning Authority.
8. 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.
9. The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.
10. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 43 metres measured along both channel lines of the major road Eskdaleside from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Continued/Informative



Mr C M France
Director of Planning

COPY

Date: . . 25. MAY . 2011

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2011/0090/FL

COPY

Informative

In relation to condition 10 above an explanation of the terms used above is available from the Highway Authority.

Reasons for Conditions

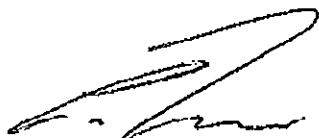
1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure the details of the development together with any subsequent insignificant variations as may be approved in writing, comply with the provisions of NYM Core Policy 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.
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 & 6. 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.
- 7 to 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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
10. In accordance with NYM Development Policy 23 and in the interests of road safety.

Development Plan policies relevant to the decision

Local Development Framework - CPJ – Housing

Reason for Approval

Whilst recognising that the site does not constitute an infill plot within the main built up area of Grosmont, and therefore falls outside the context of Core Policy J, the proposal will provide a dwelling for the immediate local housing need of a local person which cannot be met due to the lack of affordable housing provision either within Grosmont parish or the surrounding parishes. In the absence of any other planning constraints and lack of harm to the amenities of the locality, the proposal is considered to contribute to the aims of the Authority's local needs housing strategy.



COPY

Mr C M France
Director of Planning

Date 25 MAY 2011