

**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 D Pattinson
c/o Riverside Design Group
fao: Mr M McCabe
Baxtergate
Whitby
North Yorkshire
YO21 1BW

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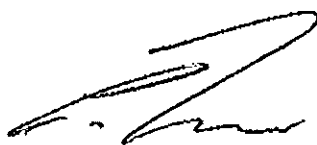
The above named Authority being the Planning Authority for the purposes of your application registered 6 September 2011, in respect of proposed development for the purposes of **conversion of former function room building to form 2 no. residential annexes and/or local occupancy residential lettings at rear of Hogarth Hill Farm, Boggle Hole, Fylingdales** 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 26 September 2011, or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The accommodation hereby approved shall either, not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling known as Hogarth Hill Farm and 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 or 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

Continued/Condition 3



Mr C M France
Director of Planning

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01 FEB 2012

Date:

DecisionApproveAgent

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2011/0466/FL

Condition 3 (Continued)

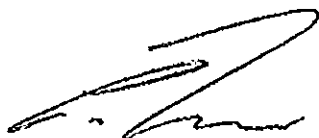
(3) has a need to live in the National Park as a result of his/her current sole employment in this parish or adjoining parishes within the National Park. Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the 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.

4. This permission has been granted in accordance with the details specified in the survey prepared by Bell Snoxell Building Consultants received on 6 September 2011. More extensive works of demolition and rebuilding that does not accord with these details may render the permission invalid and may require a further grant of planning permission from the Local Planning Authority.
5. All new stonework used in the development hereby permitted shall match that of the existing building including the colour and texture of the stone and the method of coursing and pointing.
6. The roof of the development hereby permitted shall be clad with traditional, non-interlocking, non-pre coloured natural red clay pantiles and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
7. All new window frames and doors in the west and north elevations shall be of a timber side hung casement design without glazing bars and be stained dark brown and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8. All new window frames in the eastern elevation of the development hereby approved shall be coloured dark slate grey and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. 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.
10. The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.

Continued/Informatives



Mr C M France
Director of Planning

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01 FEB 2012
Date:

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Informative(s)

1. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given Natural England's contact details; Natural England, Government Team (West), Government Buildings, Otley Road, Leeds, LS16 5QT, Tel: 0300 060 4230. Further information is also available from the Bat Conservation Trust national helpline on 0845 1300 228.
2. This consent is issued subject to the terms of the Agreement (under Section 106 of the 1990 Town and Country Planning Act) dated 12 January 2012 between the North York Moors National Park Authority and David Martin Pattinson & Angela Mary Pattinson to tie the accommodation to the main house.

Reason(s) for Condition(s)

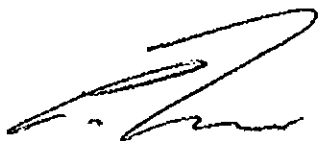
1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and Development Plan Policy 3.
3. In order to comply with NYM Core Policy J which seeks to restrict the occupancy of new residential development to those with a local need to live in the village.
4. 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 5.
- 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 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 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 DP3 – Design
DP19 – Householder Development

Reason for Approval

The proposed development would utilise an existing building to provide residential accommodation for members of the family of the occupiers of the main house and the proposals would incorporate visual improvements to the character of the building. The proposal is therefore in accordance with Development Policies 3 and 19 of the NYM Local Development Framework.



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Mr C M France
Director of Planning

Date .. 01 FEB 2012