

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 Rachel Bentley
Brooklands
Glaisdale
Whitby
North Yorkshire
YO21 2PX

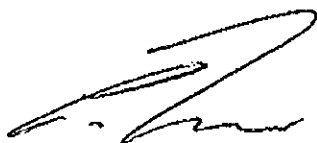
COPY

The above named Authority being the Planning Authority for the purposes of your application registered 5 January 2012, in respect of proposed development for the purposes of **conversion of domestic building to holistic/natural therapy studio together with access and parking alterations at Hill Top Barn, Stonegate, Lealholm** 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 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. The premises shall not be used other than as a holistic/natural therapy studio or for any other purpose unless a separate grant of planning permission is required from the Local Planning Authority.
4. The holistic/natural therapy studio hereby permitted shall not be open to customers outside the hours of 09.00am to 17.00pm Mondays to Saturdays and shall not be open to customers on Sundays or Bank Holidays. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
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 on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Continued/Conditions

COPY



Mr C M France
Director of Planning

Date: 02 APR 2012

DecisionApprove

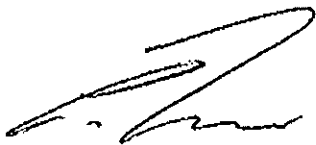
COPY

Conditions (Continued)

7. 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.
8. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.
9. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - (i) The existing access shall be improved by:
 1. a granite sett kerb to standard detail B4 of the North Yorkshire County Councils Specification across the front of the access and allowing water flow into the adjacent ditch.
 2. Details shall have been approved and constructed to provide a means of preventing loose material washing onto the public highway or into the adjacent ditch.
 - (ii) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6W for the 1st metre from the carriageway edge.
 - (iii) That part of the access(es) extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
 - (iv) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
 - (v) The final surfacing of any private access within 1 metre of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
10. 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.

Continued/Informatives

COPY



Mr C M France
Director of Planning

Date: . . . 02 APR 2012

COPY

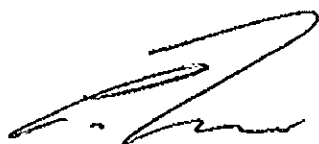
Informative(s)

1. In relation to condition 9 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
2. 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.

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 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 the scale of activity at the site and ensure compliance with NYM Core Policy A which seeks to safeguard public amenity.
4. In order to comply with the provisions of NYM Core Policy A which seeks to protect the residential amenities of adjoining occupiers.
5. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A and NYM Development Policy 13.
- 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.
8. In accordance with NYM Development Policy 23 and in the interests of highway safety.
9. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
10. 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.

Continued/Development Plan Policies



Mr C M France
Director of Planning

COPY

02 APR 2012

Date:

Town and Country Planning Act 1990

COPY

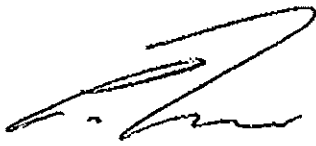
Continuation of Decision No. NYM/2011/0587/FL

Development Plan Policies Relevant to the Decision

Local Development Framework DP10 – New Employment and Training Development

Reason for Approval

The use of the building as a holistic/natural therapy studio is considered appropriate subject to it operating within the parameters of the conditions imposed to control the level of activity on the site and impose minimal impact on nearby neighbouring residential amenity and therefore it is recommended for approval under Development Policy 10 of the NYM Local Development Framework.



Mr C M France
Director of Planning

Date **02 APR 2012**
.....

COPY