

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

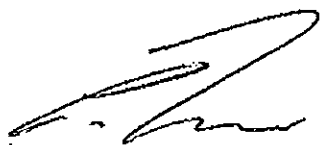
To Edinburgh & Newcastle Properties
c/o BHD Partnership
fao: Mr Neil Duffield
Airy Hill Manor
Waterstead Lane
Whitby
North Yorkshire
YO21 1QB

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The above named Authority being the Planning Authority for the purposes of your application registered 12 September 2011, in respect of proposed development for the purposes of **extension to time limit of extant planning permission NYM/2007/1032/FL for conversion of redundant barn to form holiday cottage at The Old Smithy, Dunsley** 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 8 February 2008, or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The holiday cottage unit(s) hereby approved shall not be used for residential purposes other than holiday letting purposes. 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.
4. 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.
5. 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.
6. The external face of the frame to all new windows shall be set in a reveal of a minimum of 100mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7. 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.
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.

Continued/Conditions



Mr C M France
Director of Planning

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07 NOV 2011

Date:

DecisionApproveAgent

Town and Country Planning Act 1990

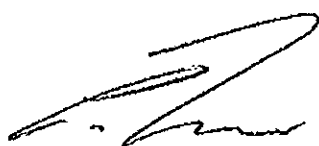
Continuation of Decision No. NYM/2011/0618/ETL

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Conditions (Continued)

9. The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.
10. 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 crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E9A and the Specifications of the local Highway Authority.
 - (ii) Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - (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 Specification of the local Highway Authority.
11. There shall be no access or egress by construction or other vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until visibility splays providing clear visibility of 2.4 by 45 metres measured down the centre line of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times thereafter.
12. The development hereby permitted shall not be brought into use until the vehicular access, parking and turning facilities have been formed in accordance with the submitted drawing ref: D8376-02. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
13. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, shall be submitted to and approved in writing by the Local Planning Authority. The site boundary works shall then be implemented in accordance with the approved details.
14. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the hard surfacing to be utilised on the site have been submitted to and approved in writing by the Local Planning Authority, including a timetable to implement the proposed works. The hard landscaping works shall then be implemented in accordance with the approved details.
15. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraph 6.1 of the submitted Bat Survey dated 17 October 2007.

Continued/Informatives



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Mr C M France
Director of Planning

07 NOV 2011

Date:

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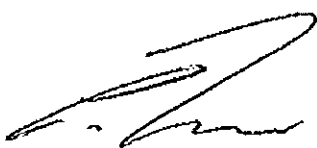
Informative(s)

1. This consent is issued subject to the terms of the Agreement (under Section 106 of the 1990 Town and Country Planning Act) dated 3 February 2009 between the North York Moors National Park Authority and John William Mark Wooding.
2. The applicant is advised that prior to any works commencing, permission is required from North Yorkshire County Council as the local Highway Authority for all works within the public highway. The applicant should contact Highways North Yorkshire, Area 3 - Whitby Office, The Garth, White Leys Estate, Whitby, N Yorks, YO21 3PD Tel: 01947 602384, which will provide the detailed constructional specification, list of approved contractors, forms etc, referred to in the condition on their Planning Approval.
3. The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at www.groundstability.com

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. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to ensure that a traditional rural building is conserved in line with NYM Development Policy 8.
4. 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.
- 5 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 to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
11. In accordance with NYM Development Policy 23 and the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions.
12. In accordance with NYM Development Policy 23 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

Continued/Reasons for Conditions



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Town and Country Planning Act 1990

Continuation of Decision No. NYM/2011/0618/ETL

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Reasons for Conditions (Continued)

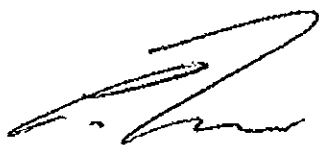
13. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
14. In the interests of the satisfactory appearance of the 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.
15. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.

Development Plan Policies Relevant to the Decision

Local Development Framework DP8 – Conversion of Traditional Rural Buildings

Reason for Approval

The scheme to convert the former Smithy is considered to be appropriate and will ensure that it is converted in a manner which respects its historic importance in accordance with Development Policy 8 of the NYM Local Development Framework which seeks to ensure that the building remains part of the surrounding landscape for the foreseeable future.



Mr C M France
Director of Planning

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Date .. 0.7 NOV 2011