

**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 John Robinson
High Kingthorpe
Pickering
North Yorkshire
YO18 7NG

The above named Authority being the Planning Authority for the purposes of your application registered 1 October 2012, in respect of proposed development for the purposes of **variation of condition 3 of planning approval NYM/2012/0324/FL to allow the occupancy of the letting unit by person(s) living/working in the Ryedale District area at Charm View, High Kingthorpe** has considered your said application and has **granted** permission for the proposed development subject to the following condition(s):

1. The permission hereby granted is valid only for five years from the date of this permission and the use shall be discontinued and the site restored to its former condition before this consent expires.
2. The accommodation hereby approved shall not be sold off separately from the existing main dwelling known as High Kingthorpe and shall remain as part of the curtilage of this main dwelling as a single planning unit, and shall be used for either: local needs letting purposes as defined below or for holiday letting purposes as defined below or for agricultural workers accommodation as defined below.

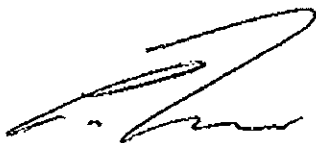
For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for periods not exceeding a total of 28 days in any one calendar year.

For the purpose of this condition, local occupancy means, the occupation of the dwelling hereby permitted shall be limited to:

- i) a qualifying person; and
- ii) 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:

Continued/Condition 2



Mr C M France
Director of Planning

22 JAN 2013
Date

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0669/FL

Condition 2 (Continued)

- a) is currently living in and has permanently resided in the National Park for five years or more and is living in accommodation that no longer meets their requirements or
- b) does not currently live in the National Park but has a strong and long standing link to the local community including a previous period of residence of five years or more or
- c) has an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous five years or more and require support for reasons of age or infirmity or
- d) requires support for reasons of age or infirmity and need to move to live close to relatives who are currently living and have resided in the National Park for at least the previous five years or more or
- e) needs to live in the National Park as a result of current sole employment within that parish or adjacent 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 a - e 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.

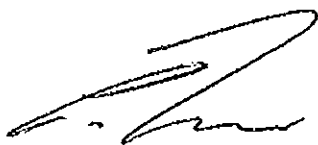
Note B: For the purposes of the above, resident within the National Park will include the whole of parishes split by the National Park boundary, including the parish of Pickering, with the following exceptions; Allerston, Beadlam, Burniston, East Ayton, East Harlsey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.

For the purposes of this condition, agricultural workers accommodation means; The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.

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. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for local needs letting or holiday accommodation has been permitted to provide an alternative to leaving these dwellings vacant in the short term in accordance with NYM Development Policy 22.

Continued/Explanation of how the Authority has Worked Positively with the Applicant/Agent



Mr C M France
Director of Planning

Date .. 22 JAN 2013 ..

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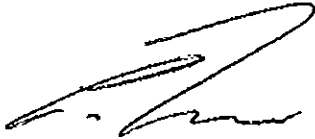
The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to maintain the economic, social and environmental conditions of the area.

Development Plan Policies Relevant to the Decision

Local Development Framework DP22 – Removal of Agricultural Occupancy Conditions

Reason for Approval

The evidence submitted with the current proposal, is considered to be sufficient to warrant extended flexibility of the condition to allow local occupancy letting, and due to the particular siting of the property, an increase to the local occupancy area to include the parish of Pickering is considered to be within the spirit of Development Policy 22 of the NYM Local Development Framework and to include provision for potential agricultural occupation.



Mr C M France
Director of Planning

Date 22 JAN 2013