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 Edward Harpin
The Orange Tree
Rosedale East
Pickering
North Yorkshire
YO18 8RH



The above named Authority being the Planning Authority for the purposes of your application registered 31 October 2012, in respect of proposed development for the purposes of **erection of shed, yurt and wood pellet store** at **The Orange Tree, Rosedale East** 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 commenced 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 strict accordance with the following documents:

Document Description	Date Received
Site Plan	4 October 2012
Tree Survey	31 October 2012
Proposed Shed, Yurt and Wood	3. 33(3)31 2372

Pellet Store (Revised December 2012) 4 December 2012 or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

- 3. The shed hereby permitted shall be used for general storage incidental to the occupation of the main dwelling and operation of The Orange Tree and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
- 4. The yurt hereby permitted shall be used for purposes ancillary to the operation of The Orange Tree and shall not be used to provide additional overnight accommodation without a separate grant of planning permission.
- 5. The external face of the pellet store and the external timber cladding of the shed hereby approved shall be painted dark brown and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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Continued/Conditions

Mr C M France Director of Planning Date: ... 2 0 DEC 2012

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0686/FL

Conditions (Continued)

6. No work shall commence to clear the site in preparation for the development hereby permitted until protective fencing to form a Tree Protection Zone has been installed around the ash tree or any other trees/groups of trees to be retained, unless otherwise agreed in writing with the Local Planning Authority. The fencing shall comprise a secure vertical and horizontal framework of scaffolding supporting chestnut paling or chain link fencing no less than 1.3 metres in height (or of a specification to be agreed) and shall be positioned at a distance from the trunk as set out in accordance with guidance given in British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations. No excavations for services, storage of materials or machinery, parking of vehicles, depositing or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as a Tree Protection Zone.

It is noted that the crown spread of the tree may cover part of the site upon which the shed is proposed and therefore the specified root protection area may be compromised. If this is the case, the Local Planning Authority should be notified to agree and acceptable solution. The protective fencing around each Tree Protection Zone shall not be removed or repositioned for the full duration of the development hereby approved without the prior written consent of the Local Planning Authority.

Informative(s)

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)

- 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 NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
- In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with NYM Core Policies B and J and would be likely to adversely affect the amenities of existing and future occupiers of the site.

COP!

Continued/Reasons for Conditions

Mr C M France Director of Planning

Date: . . 2 0 DEC 2012

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0686/FL

Reasons for Conditions (Continued)

- 4 & 5. 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.
- 6. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Development Plan Policies Relevant to the Decision

Local Development Framework DP:

DP3 - Design

DP14 - Tourism and Recreation

Reason for Approval

The proposed shed, wood pellet store and yurt are all considered to be of a size, scale, design and position commensurate with the site and would not significantly detract from the character of the wider landscape. The storage structures themselves would not provide visitors with opportunities to increase their understanding and awareness of the National Park but would make more space available within the host property and allow the existing business to expand. The proposal is therefore considered to comply with Development Policies 3 and 14 of the NYM Local Development Framework.

Mr C M France

Director of Planning

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