

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

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To: Mrs Gill Hymas  
c/o Margaret Mackinder Architect  
Wyville House  
The Lawns  
Slingsby  
York  
North Yorkshire, YO62 4AW

The above named Authority being the Planning Authority for the purposes of your application validated 11 December 2012, in respect of proposed development for the purposes of **variation of conditions 2 and 7 of planning approval NYM3/081/0036T/PA and condition 2 of NYM/2004/0018/FL to allow the reorganisation of existing 3no. holiday units with managers accommodation/fourth holiday let to form 1no. permanent 'for sale' local occupancy dwelling with the remaining three holiday units re-organised to provide 1no. 'for sale' local occupancy dwelling with attached residential annexe/holiday cottage at Fox & Rabbit Holiday Cottages A169 Lockton Pickering** has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

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	Document No.	Date Received
Location Plan	N/A	28 November 2012
Block Plan (parking & amenity areas)	4347 AR20 02	28 July 2015
As Proposed Ground Floor Plan	4347 AR20 01 Rev A	21 August 2015
North & South Elevations	4347 AR30 01	28 July 2015

- or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. The occupation of the dwelling units hereby permitted and edged red and blue on the attached plan 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/Conditions 3

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Director of Planning

Date 11 JAN 2016

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**Condition 3 (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
- 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.

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.

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 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, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.

- 4. The dwelling unit edged green on the attached plan, shall not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling hereby approved, edged red on the attached plan, 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 as holiday letting accommodation. 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.
- 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

Continued/Conditions

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**Conditions (Continued)**

6. 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 unless otherwise agreed with the Local Planning Authority.
7. 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.
8. All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. The external face of the frame to all new windows shall be set in a reveal of a minimum of 10cm 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.
10. 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 in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11. All rainwater goods shall be black painted cast iron and thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Reasons for Conditions**

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 NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
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 links and an essential need to live in the locality.
4. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J and Development Policies 8 and 19.

Continued/Reasons for Conditions



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**Reasons for Conditions (Continued)**

- 5. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
- 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 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.
- 8 – For the avoidance of doubt and in order to comply with the provisions of NYM Core  
11 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.

**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.



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Director of Planning

Date .. 11 JAN 2016

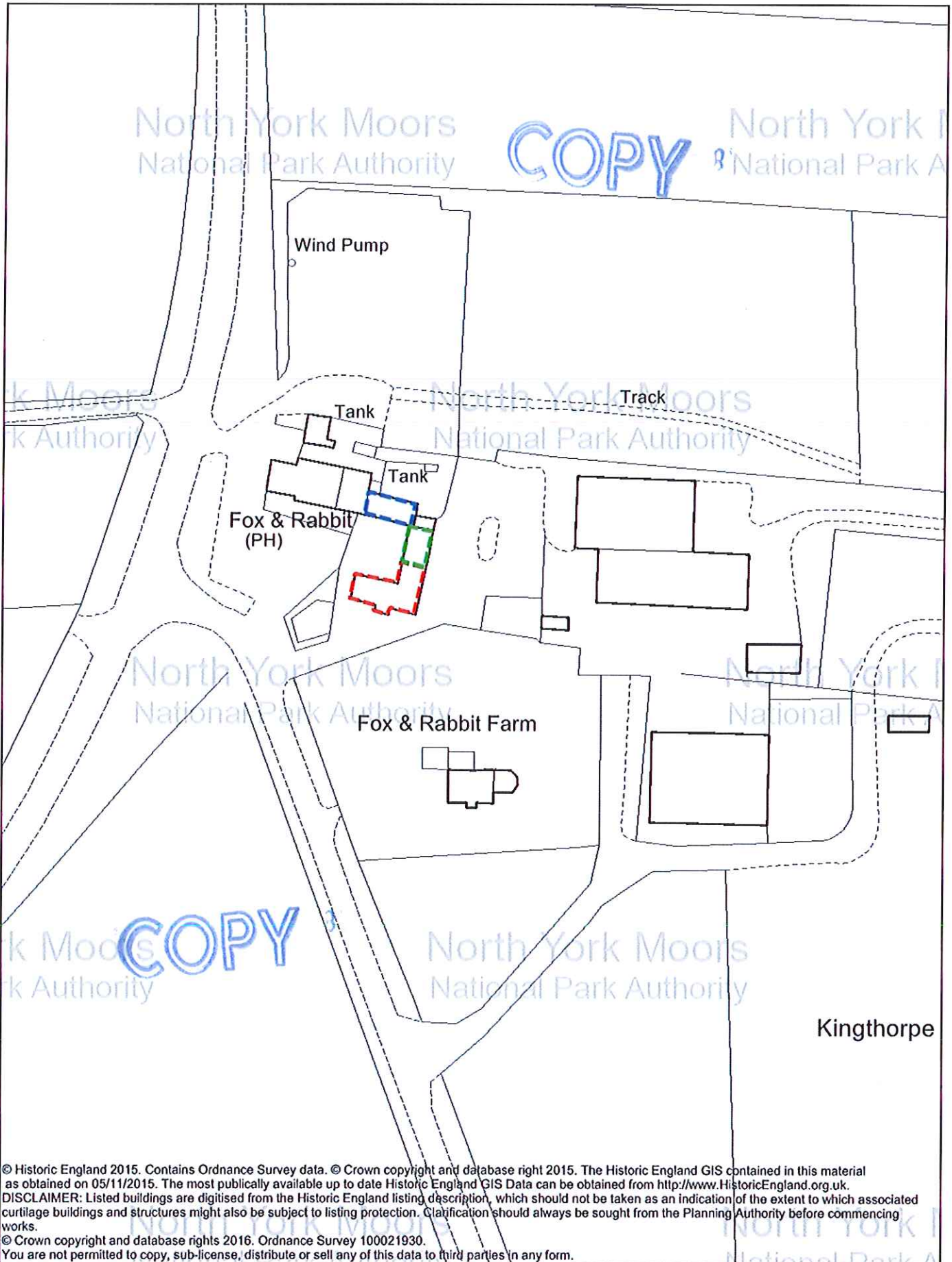
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North York Moors National Park  
 Authority  
 The Old Vicarage  
 Bondgate  
 Helmsley YO62 5BP  
 01439 772700

Application Number: NYM/2012/0796/FL

Scale: 1:1250



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