

**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**

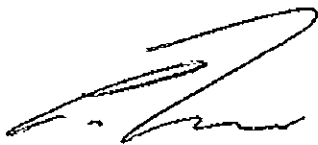
To Mr Richardson
c/o Studio Stead
Barclays Bank House
Baxtergate
Whitby
North Yorkshire
YO21 1BW

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The above named Authority being the Planning Authority for the purposes of your application validated 19 November 2013, in respect of proposed development for the purposes of **removal of agricultural building and change of use of land to domestic together with conversion of agricultural buildings to form 1 no. local occupancy dwelling for sale/holiday letting cottage with associated parking area at Manor House Farm, Newholm** 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 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (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 40 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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Date **14 JAN 2014**

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Conditions (Continued)

4. The dwelling unit hereby approved shall only be used as a Local Occupancy Dwelling or for 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.

The occupation of the unit as a Local Occupancy Dwelling 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:

- 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 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.

Continued/Conditions

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TOWN AND COUNTRY PLANNING ACT 1990

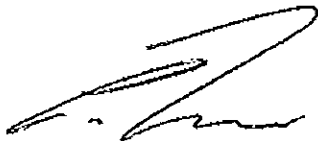
Continuation of Decision No. NYM/2013/0574/FL

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Conditions (Continued)

5. This permission has been granted in accordance with the details specified in the survey prepared by Bell Snoxell Building Consultants Ltd received on 8 October 2013. More extensive works of demolition and rebuilding that does not accord with these details may render the permission invalid and may require a further grant of planning permission from the Local Planning Authority.
6. No work shall commence on the installation of any external fixtures to the building to which this permission relates until details of all external fixtures have been submitted to and approved in writing by the Local Planning Authority. The details should include for provision for any exterior lighting, meter boxes, signage, wall or roof flues, television antennae and satellite dishes that may be proposed to be installed. The external fixtures shall be installed wholly in accordance with the approved details.
7. The roof tiles utilised in carrying out the development hereby permitted shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority.
8. All pointing in the development hereby permitted shall accord with the following specification - a lime mortar mix of 1:2 ½ (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.
9. 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 (and glazing if included) 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.
10. No work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames shall be installed 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.
11. The external face of the frame to all new windows shall be set in a reveal of a minimum of 60mm 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.

Continued/Conditions



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Conditions (Continued)

- 12. No work shall commence on the installation of any rooflights in the development hereby approved until full details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be conservation style rooflights and shall be installed in accordance with the approved details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 13. 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.
- 14. 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.
- 15. All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
- 16. No work shall commence to paint or black stain external joinery in the development hereby approved until a scheme for the painting or staining of all external joinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed treatment for doors, windows, shutters, stable doors and any other exterior joinery fixtures. The works shall be carried out 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.
- 17. No work shall commence to the fence to the front (east) entrance to the development hereby approved until details of all the fencing to be installed has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the materials, method of fixing, external finish and design of the proposed fencing. The works shall be carried out 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.
- 18. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the hardsurfacing 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. The hard landscaping shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
- 19. The Unit of Accommodation hereby approved shall not be occupied unless the related parking facilities shown on the Site Block Plan 050/P02 Rev D (2 spaces) are available and retained within the same ownership as the unit of accommodation to which this application relates. Once created this parking area shall be maintained clear of any obstruction and retained for its intended purpose at all times.

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TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2013/0574/FL

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Informatives

Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England

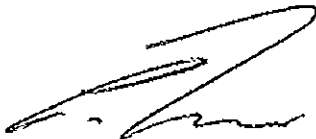
<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx>. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.

If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.

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 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.
4. 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 or Development Policy 8 which seeks to find an economic use for traditional rural buildings.
5. In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of NYM Development Policy 5.
6. In order to ensure that the development is carried out in a manner which safeguards the historic fabric of the building and to comply with the provisions of NYM Core Policy G, which seeks to ensure that alterations to Listed Buildings do not have an unacceptable impact on the special historic or architectural interest of the building.

Continued/Reasons for Conditions



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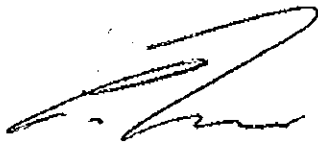
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Reasons for Conditions (Continued)

- 7 – 8 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.
- 9 – 17 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.
- 18. 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.
- 19. In accordance with NYM Development Policy 23 and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including amendments to the parking and drainage of the scheme, so as to deliver sustainable development.



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