

**Town and Country Planning Act 1990
North York Moors National Park Authority**

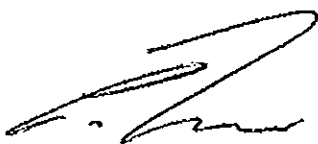
**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

To: Mr Nigel Sutterby
The Manse
Thorpe Bank
Fylingthorpe
Nr Whitby
North Yorkshire YO22 4UA

The above named Authority being the Planning Authority for the purposes of your application validated 22 September 2014, in respect of proposed development for the purposes of **re-roofing of agricultural building and re-building of central section, creation of earth bund together with formation of hardstanding at land & Buildings at Church Lane, Fylingthorpe** 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 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. The buildings to which this permission relate shall not be used other than for agricultural and forestry purposes 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).
4. No machinery shall be operated on the premises before 0800 hrs on weekdays and 0830 hrs on Saturdays nor after 1900 hrs on weekdays and 1800 hrs on Saturdays nor at any time on Sundays or Bank Holidays without the prior written agreement of the Local Planning Authority.
5. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
6. The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey/black and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
7. The external elevations of the agricultural building hereby approved shall, within three months of first being brought into use, be clad in vertical timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.

Continued/Condition(s)



Mr C M France
Director of Planning

Date .. 16 DEC 2014 ..

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2014/0561/FL

Condition(s) (Continued)

8. The external timber cladding of the building hereby approved shall be stained dark brown and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. All new window frames and glazing bars shall be of timber construction and shall be maintained in that condition in perpetuity.
10. All hard and soft landscape works comprised in the approved details shall be carried out no later than the first planting season following the building being first brought into use, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

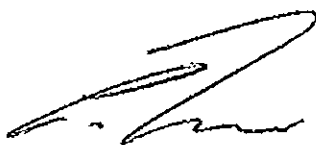
Informative(s)

All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

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 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 changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) and to comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
- 4 & 5. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.

Continued/Reason(s) for Condition(s)



Mr C M France
Director of Planning

Date 16 DEC 2014

Town and Country Planning Act 1990

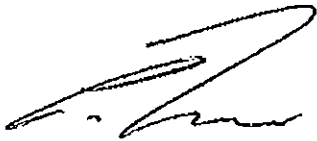
Continuation of Decision No. NYM/2014/0561/FL

Reason(s) for Condition(s) (Continued)

6. 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.
- 7 – 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 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.

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 confirmed to the applicant/agent that the development is likely to maintain the economic, social and environmental conditions of the area.



Mr C M France
Director of Planning

Date .. 16 DEC 2014