

**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: Mrs Melanie Shephard
Thirley Cotes Farm
Harwood Dale
Scarborough
North Yorkshire
YO13 0DR

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The above named Authority being the Planning Authority for the purposes of your application validated 03 March 2015, in respect of proposed development for the purposes of **variation of conditions 3 and 4 of planning approval NYM/2010/0659/FL to allow the retention as holiday cottages or sale as local occupancy dwellings at Thirley Cotes Farm, Harwood Dale**, has considered your said application and has granted permission for the proposed development subject to the following conditions:

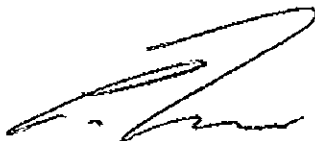
1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H, Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to L of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
2. The occupation of the dwelling hereby permitted shall be limited to either:
 - 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

Continued/Condition 2

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Mr C M France
Director of Planning

28 APR 2015
Date

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2015/0130/FL

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Condition 2 (Continued)

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.

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.

- 3. The units of accommodation hereby permitted shall form and remain part of the freehold of the existing dwelling known as Thirley Cotes Farm and shall not be sold off from the main dwelling, other than as leaseholds for local occupancy letting units or holiday accommodation in accordance with the terms of condition 2 above without a further grant of planning permission from the Local Planning Authority.
- 4. 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.
- 5. 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.

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Continued/Conditions

Mr C M France
Director of Planning

Date 28 APR 2015

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2015/0130/FL

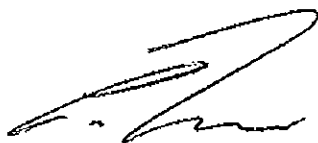
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Conditions (Continued)

6. 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.
7. The external face of the frame to all new windows shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8. 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 planning authority. The rooflights 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.
9. No work shall commence to stain/paint the windows and doors in the development hereby approved until details of the paint colour/finish of the windows and doors has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the approved details within six months of being installed 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.
12. 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.
13. All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.

Continued/Reasons for Conditions

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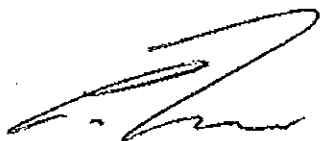
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Reasons for Conditions

1. 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.
2. 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 to provide holiday accommodation.
3. 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.
4. 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.
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 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.
- 6 – For the avoidance of doubt and in order to comply with the provisions of NYM Core
12. 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.
13. For the avoidance of doubt and in order to comply with the provisions of NYM Development Policy 5 which seek to ensure that alterations to Listed Buildings do not have any unacceptable impact on the special architectural or historic interest of the building.

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.



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