

**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 David Heaton
High Peak House
Pollard Road
Ravenscar
Scarborough
North Yorkshire YO13 0NB

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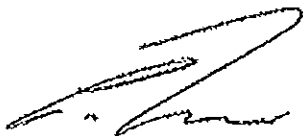
The above named Authority being the Planning Authority for the purposes of your application validated 25 June 2013, in respect of proposed development for the purposes of variation of condition 3 of planning approval NYM/2003/0913/FL and condition 13 of NYM4/027/0004C/PA to allow High Peak House to be occupied as a local occupancy dwelling at High Peak House, Pollard Road, Ravenscar 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 occupation of the dwelling hereby permitted 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

Continued/Condition 3



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Director of Planning

20 AUG 2013

Date:

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Condition 3 (Continued)

- 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, Irtton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.

- 4. Prior to the occupation of High Peak House as a local occupany dwelling the ground floor windows in the southeast elevation shall be glazed with obscure glass and shall be maintained in that condition in perpetuity.
- 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 Schedule 2, Part 1, Class A (or any order revoking and re-enacting that Order), no additional windows shall be inserted in the southeast elevation of the dwelling hereby permitted without a further grant of planning permission being obtained from the Local Planning Authority.
- 6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 Schedule 2, Part 1, Classes A and E (or any order revoking and re-enacting that Order), no extensions or alterations or erection of domestic outbuildings shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

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 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. 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/Reasons for Conditions

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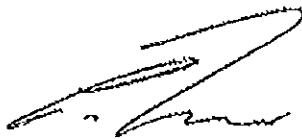
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Reasons for Conditions (Continued)

5. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the amenities of adjacent residents in line with NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
6. 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.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



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