

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 Ivy Stuart
c/o Architectural Design
fao: Mr Richard Winn
Old Barn Cottage
Middle Farm
Main Street
Allerston
Pickering
North Yorkshire, YO18 7PG

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The above named Authority being the Planning Authority for the purposes of your application validated 26 March 2015, in respect of proposed development for the purposes of **conversion of barn to form 1 no. dwelling and new access (part revised scheme to NYM/2009/0887/FL)** at **Sunny Bank Barn, Broxa Lane, Hackness** has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

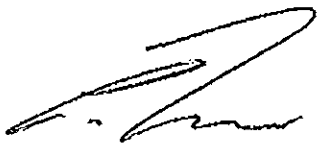
1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Plans & Elevations	06095 1C	26 March 2015
Site Layout as Proposed	1300-3	26 March 2015
Part elevation to Broxa Lane as Proposed	1300-4	26 March 2015
Proposed alterations to existing access	1300-5B	02 June 2015
Tree report by Lawson Harper		18 May 2015

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. 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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Mr C M France
Director of Planning

Date **22 JUN 2015**

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2015/0209/FL

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Conditions (Continued)

4. 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
- 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.

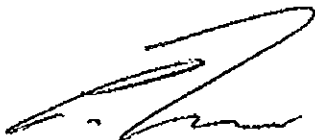
Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points a - e above.

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.

5. 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/Conditions



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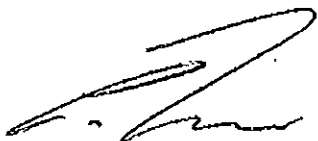
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Conditions (Continued)

6. All new window frames, glazing bars, external doors and door frames shall be of timber construction, stained/painted a colour to be first agreed in writing with the Local Planning Authority within six months of the date of installation and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
7. 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.
8. 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.
9. The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.
10. 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.
11. 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.
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. The external fixtures shall be installed wholly in accordance with the approved details.

Continued/Conditions



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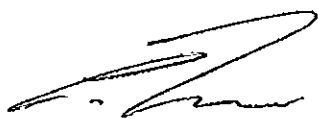
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Conditions (Continued)

13. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
- The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details (drawing no. 1300-5B) and Standard Detail number E9A for the crossing and E6W for the extended footway
 - Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - Provision to prevent surface water from the site/plot discharging onto the existing highway shall be constructed in accordance with the approved details shown on drawing no. 1300-5B and maintained thereafter to prevent such discharges.
 - The final surfacing of any private access within 4 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
14. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 33 metres measured along both channel lines of the major road Broxa Lane from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
15. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition 13 have been laid out in accordance with the approved drawing no. 1300-3 and are available for use unless otherwise approved in writing by the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
16. The development hereby permitted shall be carried out in accordance with the Tree Protection Plan and Arboricultural Method Statement set out in the Tree Report prepared by Lawson Harper dated 18 May 2015.
17. Notwithstanding the details shown on the approved drawing nos. 1300-4 & 1300-5B, no work shall commence on the erection of any boundary fencing until full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, have been submitted to and approved in writing by the Local Planning Authority. The site boundary works shall then be implemented in accordance with the approved details. The boundary treatment shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2015/0209/FL

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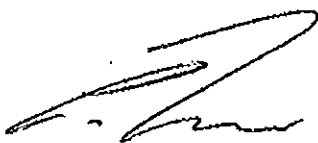
Informative

In relation to condition 13 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

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.
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 – 12. 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.
13. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
14. In accordance with NYM Development Policy 23 and in the interests of road safety.
15. In accordance with NYM Development Policy 23 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

Continued/Conditions



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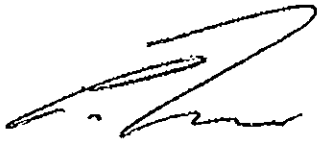
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Conditions (Continued)

16. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
17. 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 Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting 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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Director of Planning

Date 22 JUN 2015

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