

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: Duchy of Lancaster
c/o Savills inc. Smiths Gore
fao: Mr Andrew McRoyall
48 Bootham
York
YO30 7WZ

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The above named Authority being the Planning Authority for the purposes of your application validated 10 August 2015, in respect of proposed development for the purposes of **variation of condition 2 (material amendment) of planning approval NYM/2013/0292/FL to include alterations to site levels, alterations to rooflights and reduction in height of store/multi use shed by 500mm, alterations to doors, rooflights and vented ridge and reduction in height of cattle shed by 600mm, additional door and alterations to rooflights to workshop and alterations to roof and use of dark grey roof sheeting to stables (part retrospective) at Cloughton Fields Farm, Station Lane, Cloughton** has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

- The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Proposed plans and elevations stables	1005263/17E	7 September 2015
Proposed plans and elevations cattle shed	1005263/13F	25 September 2015
Proposed plans and elevations workshop shed	1005263/15G	7 August 2015
Proposed plans and elevations General produce shed	1005263/14G	7 August 2015
Proposed plans and elevations store and multiuse shed	1005263/14G	7 August 2015
Proposed site plan	1005263/14G	7 August 2015

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture 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), or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.

Continued/Conditions

Mr C M France
Director of Planning

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- 6 NOV 2015
Date

TOWN AND COUNTRY PLANNING ACT 1990

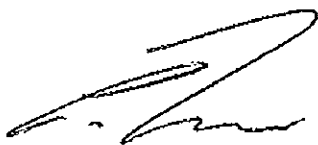
Continuation of Decision No. NYM/2015/0570/FL

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Conditions (Continued)

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.
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. This permission has been granted in accordance with the details specified in the survey prepared by J A Cowie of Smiths Gore received on 8 February 2010. 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. All new stonework and roofing tiles used in the development hereby permitted shall match as closely as possible to those of the existing building, including the colour and texture of the stone and the method of coursing and pointing.
7. The bricks used for the construction of the walls of the development hereby permitted shall accord with the details approved by the Local Planning Authority under NYM/20215/0169/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
8. The external surface of the roof of the agricultural buildings hereby permitted shall be coloured and thereafter maintained dark grey or as may otherwise be agreed in writing by the Local Planning Authority.
9. All pointing in the development hereby permitted shall accord with the following specification - a lime based mortar mix of 1:3 (lime, sand mix of 50 per cent sieved sharp sand and 50 per cent builders sand) with a slightly recessed bagged finish
10. Any replacement or new windows installed in the development hereby approved shall accord with the details approved by the Local Planning Authority under NYM/20215/0169/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
11. 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.
12. All new window frames, glazing bars, external doors and door frames shall be of timber construction 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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TOWN AND COUNTRY PLANNING ACT 1990

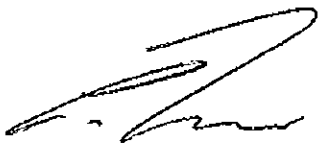
Continuation of Decision No. NYM/2015/0570/FL

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Conditions (Continued)

13. All windows and doors shall be coloured and finished in accordance with the details approved by the Local Planning Authority under NYM/2015/0169/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
14. 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.
15. The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
16. The development shall not be brought into use until the drainage works approved by the Local Planning Authority under NYM/2015/0169/CVC have been completed. The means of disposal of foul and surface water drainage shall thereafter be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
17. All hard and soft landscape works comprised in the approved details of landscaping (Landscape Proposals Masterplan drawing nos. 2424/01 and 2424/02 Appendix J and K approved under 2010/0104/FL) shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
18. For the first five years after the wind turbine is brought into use the development hereby permitted shall be carried out in accordance with the mitigation measures set out in Paragraphs 9.1 (Barn Owls) and 9.2 (Bats) of the submitted ecology survey dated 5 January 2010 prepared by John Drewett (updated on 13 March 2013).
19. Following a period of five years after the date of this permission, the turbine hereby approved shall only be in operation between the hours of 6am and 8pm on any day during the months of April through to October, and any time during the months of November through to the end of March unless a monitoring report by a bat surveyor has demonstrated adequately that no bats are flying in the vicinity of the turbine. A second survey should be undertaken ten years after the date of this permission and if there is no evidence of bats flying in the vicinity of the turbine, the turbine can operate without restriction thereafter.

Continued/Conditions



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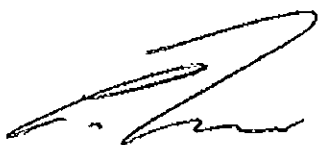
Conditions (Continued)

20. The development shall not be brought into use until the measures agreed under NYM/2014/0538/CVC to prevent surface water from non-highway areas discharging on to the existing or proposed highway together have been implemented in accordance with those approved details.
21. 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(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - (i) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and the specification of the Highway Authority and drawing no: 1005263/04.
 - (ii) The final surfacing of any private access within 12 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.
22. Unless otherwise approved in writing by the Local Planning Authority, the development shall not be brought into use until following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority:
 - a. Construction of new passing places at locations to be agreed
 - b. Erection of new warning signs on A171.
 - c. Erection of other highway safety features identified as being required by the Road Safety Audit and Transport Assessment.
23. The approved precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site shall be made available on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Informatives

1. 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.
2. There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.

Continued/Reasons for Conditions



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Reasons for Conditions

1. 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.
2. The site of the proposed dwelling is in an area where NYM Core Policies B and J and Planning Policy Statement 7 seek to restrict new residential development to that which is essential to the needs of local agriculture.
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 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. 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 – 10. 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.
- 11 – 15. 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.
16. In order to comply with the provisions of NYM Development Policy 2 which seeks to mitigate the impact of flood damage to new development within areas at high risk from flooding and prevent additional flood risk to other properties.
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.
- 18 – 19. To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
20. In accordance with NYM Development Policy 23 and in the interests of highway safety.

Continued/Reasons for Conditions

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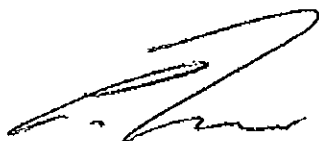
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Reasons for Conditions (Continued)

21. 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.
22. In accordance with NYM Development Policy 23 and in the interests of the safety and convenience of highway users.
23. In accordance with NYM Development Policy 23 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

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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Director of Planning

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