

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 Jeremy Smith
c/o BHD Partnership
fao: Mr N Duffield
Airy Hill Manor
Waterstead Lane
Whitby
North Yorkshire, YO21 1QB

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The above named Authority being the Planning Authority for the purposes of your application validated 30 October 2015, in respect of proposed development for the purposes of **variation of condition 2 (material amendment) of planning approval NYM/2014/0731/FL to allow alterations to ground levels to accommodate building together with construction of internal block lining to form cavity (part retrospective) at land adjacent Morfa Cottage, Station Road, Hawsker** has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

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

Document Description	Document No.	Date Received
Plan & Elevations	D10201-12 Rev G	30 October 2015

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
2. The premises shall not be used other than as a store for a vehicle and land maintenance tools and animal housing as shown on plan D10201-12 Rev E and shall not be used for any other purpose (including any other purpose in Class B1 or B8 of the Schedule to 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.
3. Within 3 months of the building hereby approved being first brought into use, all existing structures shall be removed from the site.
4. No storage of materials, machinery, vehicles, waste or other items shall take place outside the building(s) on the site 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.

Continued/Conditions



Mr C M France
Director of Planning

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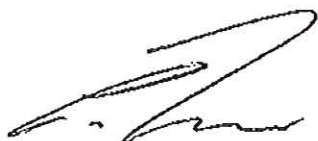
Date .. 2.2.DEC. 2015

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Conditions (Continued)

6. No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained on the development site until the development hereby approved has been completed.
7. The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
8. The external elevations of the 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.
9. No work shall commence on the installation of any door in the development hereby approved until details of the finish of the external doors have been submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details so approved, completed within six months of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the hardsurfacing to be utilised on the site have been submitted to and approved in writing by the Local Planning Authority, including a timetable to implement the proposed works. The hard landscaping works shall then be implemented in accordance with the approved details. The hard landscaping shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
11. If the use of the building for the purposes set out in condition 2 above permanently ceases within five years from the date on which the development was substantially completed, the building shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing or unless planning permission for change of use of the building to a purpose other than agriculture has been approved.

Continued/Informative



Mr C M France
Director of Planning

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Date ... 22 DEC 2015

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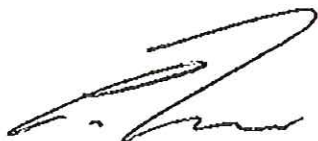
Informative

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.

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. 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) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order 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.
- 3 – 4. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.
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.
- 6 – 7. 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.

Continued/Reasons for Conditions



Mr C M France
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Date .. 22 DEC 2015

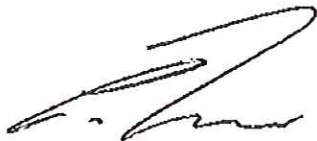
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Reasons for Conditions (Continued)

- 8 – 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 the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that development proposals incorporate suitable hard landscaping details.
- 11. In order to comply with the provisions of NYM Development Policy 12 which seeks to ensure that there is a functional requirement for the building in the long term to justify an exception being made to normal planning policies which seek to restrict new development in the countryside.

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 recommended changes to the proposal including external materials, so as to deliver sustainable development.



Mr C M France
Director of Planning

Date **22 DEC 2015**

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