

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 James Frank
c/o Building Draughtsman
fao: Mr Alwyn Welburn
88 Hampton Road
Scarborough
North Yorkshire
England, YO12 5PX

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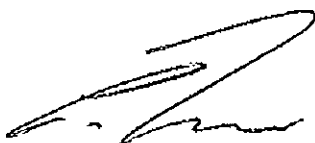
The above named Authority being the Planning Authority for the purposes of your application validated 22 August 2016, in respect of proposed development for the purposes of **change of use of shop/post office to additional living accommodation together with subdivision to create 1 no. additional dwelling for local occupancy at Stonelea, Prior Wath Road, Staintondale** 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
Proposed Plans	A1-1166-WO817	17 October 2016

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. A screen hedge of native species shall be planted around the oil tank hereby approved no later than the first planting season following the installation of the oil tank, or in accordance with a programme agreed by the Local Planning Authority. The approved screen hedge planting shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
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

Continued/Condition 4



Mr C M France
Director of Planning

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Date ... 21 OCT 2016

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2016/0575/FL

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Condition 4 (Continued)

- 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.

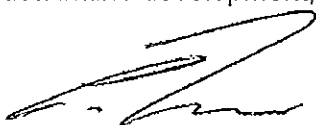
Note B: For the purposes of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following exceptions; Allerston, Beadlam, Burniston, East Ayton, East Harlsey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.

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 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.
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.

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.



Mr C M France
Director of Planning

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Date ... **21 OCT 2016**