

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

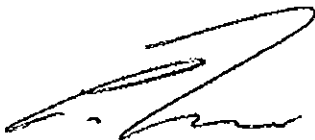
To: Mrs Catriona Cook
Burgate Farm
Harwood Dale
Nr Scarborough
North Yorkshire
YO13 0DS

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The above named Authority being the Planning Authority for the purposes of your application validated 10 July 2017, in respect of proposed development for the purposes of **variation of conditions 2 and 5 of planning approval NYM/2016/0315/FL to allow alterations to doors, windows and rooflights and to omit chemical damp proof course at Burgate Farm, Harwood Dale** 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 21 November 2019.
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. 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. The accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling known as Burgate Farm and shall form and shall remain as part of the curtilage of this main dwelling as a single planning unit and shall be used only for members of the family of the occupier of the main dwelling.
5. This permission has been granted in accordance with the details specified in the survey prepared by Richard Agar Associates Limited received on 15 June 2016, other than the omission of the chemical damp proof course. 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.

Continued/Conditions



Mr C M France
Director of Planning

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Date .. 29 NOV 2017

For the Rights of Appeal and Notes See Overleaf

DecisionApprove

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2017/0453/FL

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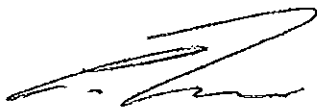
Conditions (Continued)

6. 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.
7. 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.
8. The doors in the development hereby approved (and any replacements) shall be installed in accordance with the approved detailed plans received on 5th October 2017 and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. The windows to be installed (and any replacement windows) in the development hereby approved shall be installed in accordance with the details received on 13th and 17th November 2017 and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10. The external face of the frame to all new windows shall be set in a reveal of a minimum of 50mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11. 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.
12. 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.
13. 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.
14. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 9 of the submitted Bat Survey prepared 05 May 2017 and received at the Authority on 08 May 2017 by John Drewett Ecology.

Informative

1. 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.

Continued/Informatives



Mr C M France
Director of Planning

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Date .. 29 NOV 2017 ..

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2017/0453/FL

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Informatives (Continued)

2. The applicant's attention is drawn to Condition 3 of planning approval NYM4/026/0004E/PA which restricts the existing annexe attached to the farmhouse to occupation by members of the family or occupier of the main dwelling only. Any occupation by a farm worker or use as holiday accommodation will require a separate grant of permission from the Local Planning Authority.

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. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.
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. 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.
- 7 – 13. 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.
14. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 ... 29 NOV 2017