

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

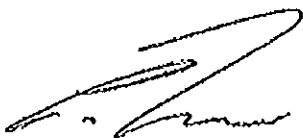
To Ray Owen Waste Disposal
c/o Architectural Design
fao: Mr Richard Winn
Old Barn Cottage
Middle Farm
Main Street
Allerston
Pickering
North Yorkshire YO18 7PG

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The above named Authority being the Planning Authority for the purposes of your application registered 12 September 2012, in respect of proposed development for the purposes of erection of 6 no. chalets for holiday use together with associated access and landscaping works ancillary to The Falcon Inn at The Falcon Inn, Whitby Road, Cloughton has considered your said application and has granted permission for the proposed development subject to the following condition(s):

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
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. The holiday chalets hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.
4. The holiday units hereby permitted shall form and remain part of the curtilage of the public house known as The Falcon Inn as a single planning unit and shall not be sold or leased separately from the main dwelling without a further grant of planning permission from the Local Planning Authority. In the event that the chalets cease to be used for holiday accommodation then within 12 months of the last use, the units and associated development shall be removed from the site and shall not be returned to the site without another valid planning permission.
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.
6. No work shall commence on the construction of the roof of the development hereby permitted until details of the roof tile, including samples if so required by the Local Planning Authority, to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The roof tile used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.

Continued/Conditions



Mr C M France
Director of Planning

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~ 7 NOV 2012
Date:

DecisionApproveAgent

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0636/FL

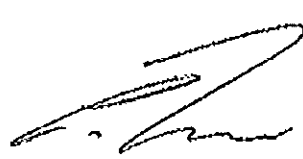
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Conditions (Continued)

7. The external elevations of the chalets hereby approved shall, within three months of first being brought into use, be clad in horizontal timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
8. No work shall commence on the timber cladding of the development hereby permitted until details, including the design and fixing of the timber cladding including samples if so required have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
9. 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.
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. 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/or Standard Detail number E9A
 - ii) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed and maintained thereafter to prevent such discharges.
 - iii) The final surfacing of any private access within 6 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.
12. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas:
 - i) have been constructed in accordance with the submitted drawing number 1016-24
 - ii) 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.

Continued/Conditions

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Date:

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Conditions (Continued)

- 13. All hard and soft landscape works comprised in the approved details of landscaping 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.
- 14. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species unless the Local Planning Authority gives written consent to any variation.
- 15. No work shall commence to clear the site in preparation for the development hereby permitted until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority (herein after called the 'Tree Protection Scheme'). The scheme shall provide for a protection zone around each tree, hedge or shrub to be set out in accordance with guidance given in British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations and shall provide for the erection of protective fencing to consist of a secure vertical and horizontal framework of scaffolding supporting chestnut paling or chain link fencing no less than 1.3 metres in height (or of a specification to be agreed) to delineate each protection zone.
 No work including tree felling or pruning, demolition work, soil moving, temporary access or construction and/or widening or any operations involving the use of motorised vehicles or construction machinery shall commence on site in connection with the development until the protection works required by the Tree Protection Scheme have been fully installed in accordance with the approved details.
 No excavations for services, storage of materials or machinery, parking of vehicles, depositing or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as a Tree Protection Zone or otherwise protected in the approved Tree Protection Scheme.
 The protective fencing around each Tree Protection Zone shall not be removed or repositioned for the full duration of the development hereby approved without the prior written consent of the Local Planning Authority.
- 16. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the access surfacing have been submitted to and approved in writing by the Local Planning Authority. The access surfacing shall then be implemented in accordance with the approved details and shall be maintained in that condition in perpetuity.

Mr C M France
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Continued/Informative(s)

7 NOV 2012

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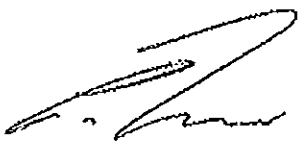
Informative(s)

1. Please note that there is a potential safety issue that could arise when walkers are using the section of the public footpath across the paddock (to the East of the Inn) and vehicles are accessing the chalets.
2. In relation to condition 11 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.

Reason(s) for Condition(s)

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. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to ensure that a traditional rural building is conserved in line with NYM Development Policy 8.
4. The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling.
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. 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 to 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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
11. 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.
12. 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/Reasons for Conditions



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Reasons for Conditions (Continued)

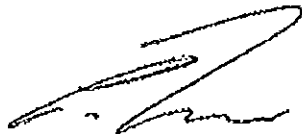
13. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
- 14 & 15. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
16. 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.

Development Plan Policies Relevant to the Decision

Local Development Framework CPA – Delivering National Park Purposes and Sustainable Development
CPD – Climate Change
DP14 – Tourism and Recreation
DP16 – Chalet and Camping Sites

Reason for Approval

The proposed development would provide additional tourism accommodation which would serve an existing tourist facility and be located within an area of woodland. The proposal also includes the provision of appropriate renewable energy. It would therefore be in accordance with Core Policies A and D and Development Policies 14 and 16 of the NYM Local Development Framework.



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