

North York Moors National Park Authority Planning Committee

20 July 2017

**Proposed planning conditions for NYM/2017/0009/OU
Outline application for construction of 1 no. agricultural workers dwelling and 3 no.
agricultural buildings (all matters reserved) at land off Braygate Lane, Levisham**

<p>1. Purpose of the Report</p>
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<p>1.1 To seek Member approval of the schedule of planning conditions.</p>
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Introduction

Members will recall that at the June meeting of the Planning Committee Members voted to approve the outline planning application made by S & H M Eddon for the creation of a new farmstead on land to the north of Levisham village on the west side of Braygate Lane which leads from the village to Levisham Station. However Members requested that a further report be brought to the Planning Committee with a schedule of proposed planning conditions for Members to agree.

Schedule of Planning Conditions

1. TIME04 The development hereby permitted shall be commenced on or before whichever is the earlier of the following dates:
 - i) three years from the date of this permission;
 - ii) the expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. TIME00 The development hereby permitted shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority:
 - i) the siting, design and external appearance of the dwelling and all agricultural buildings, including a schedule of external materials to be used;
 - ii) the means of access to the site;
 - iii) the landscaping of the site; and
 - iv) the existing ground levels and proposed finished floor and ground levels.
3. WPDR01 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. WPDR11 Notwithstanding the provisions of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development which otherwise would be permitted under Part 6 to the said Schedule shall be carried out without a further grant of planning permission being obtained from the Local Planning Authority.

5. RSUO06 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.
6. MISC00 The existing agricultural buildings at Lilac Farm marked in red on the attached plan shall be removed from the land within one year of the agricultural buildings hereby approved at Braygate Lane being first brought into use, and the land shall be restored in accordance with a scheme first approved in writing by the Local Planning Authority.
7. MISC00 If the use of the buildings for the purposes of agriculture within the unit permanently ceases within five years from the date on which the development was substantially completed, the buildings 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.

Reasons for conditions:

1. RSNTIME03 In order that the Local Planning Authority can 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. RSNTIME03 In order that the Local Planning Authority can 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. RSNWPDR01 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. RSNWPDR02 In order to enable the Local Planning Authority to retain control over future alterations to the farm buildings in the interests of safeguarding the character of the locality in line with NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
5. RSNRSUO06 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.
6. RSNMISC00 In the interests of the quality of life of local residents in accordance with NYM Core Policy A and in order to comply with the provisions of NYM Development Policy 12 which seeks to ensure that there is a functional requirement for agricultural buildings.
7. RSNMISC03 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.

Contribution to National Park Management Plan

Approval of the planning application with the schedule of conditions proposed will contribute to the delivery of Policies E3, E6 and B6 by ensuring that the development does not have a detrimental impact on the landscape of the National Park and conserves and enhances the setting of Levisham Conservation Area.

Recommendation

That:

The schedule of proposed planning conditions is approved.



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