



NOTICE OF DECISION

TOWN & COUNTRY PLANNING ACT 1990 FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

NORTH YORKSHIRE COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS CONSIDERED THIS APPLICATION AND HAS DECIDED IT SHOULD BE APPROVED SUBJECT TO THE CONDITIONS STATED BELOW:

Application No: ZE25/00426/FUL
Proposal: Change of use of domestic annex to separate holiday let (Retrospective)
at: Fishers Yard Main Street Westow North Yorkshire YO60 7NE
for: Mr Janet O'Neill
Decision Date: 29 May 2025

REASON FOR APPROVAL

The proposed development is in accord with the following development plan policies and there are no other material considerations that outweigh those listed development plan policies:

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy - Policy SP8 Tourism
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP20 Generic Development Management Issues
National Planning Policy Framework
National Planning Practice Guidance

CONDITIONS AND ASSOCIATED REASONS

01 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan, scanned to file 23.04.2025
Site Plan, scanned to file 23.04.2025
Plans and Elevations, drawing number 14021.03, scanned to file 23.04.2025

Reason: For the avoidance of doubt and in the interests of proper planning.

- 02 The holiday accommodation hereby permitted shall be occupied for holiday purposes only; and not as a person's sole or main residence of residence.

The holiday accommodation hereby permitted shall be available for commercial let for at least 140 days a year and no let must exceed a total of 31 days;

The owners/operators of the holiday accommodation hereby permitted shall maintain an up-to-date register of lettings/occupation and advertising and will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.

The register shall include full details of the following:

- o The main address(es) of all the occupiers of the accommodation hereby permitted
- o The start date of every one of the letting/occupation of all the occupiers of the accommodation hereby permitted
- o Supporting evidence of the main address(es) of all the occupiers of the accommodation hereby permitted.

Reason: As required by Policy SP21 of the Ryedale Plan - Local Plan Strategy.

- 03 The holiday accommodation hereby approved shall remain in the same ownership as the property currently known as Fishers Yard, Westow.

Reason: In the interests of amenity of the existing and future occupiers and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 04 The parking space associated with the dwelling as shown on the Parking Plans (scanned to file 08.05.2025) shall be maintained clear of any obstruction and retained for its intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in compliance with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

In dealing with and determining this application, the Local Planning Authority have sought to take a positive approach to foster the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework. As such, the Local Planning Authority has taken steps to work proactively with the applicant to seek solutions to problems that may have arisen in dealing with this application with a view to improving local economic, social and environmental conditions.

NO CONSENT OR APPROVAL HEREBY GIVEN REMOVES ANY REQUIREMENT TO SERVE NOTICES OR SEEK APPROVAL FROM THE COUNCIL WHERE SUCH ACTION IS REQUIRED BY THE BUILDING ACT 1984 OR OF ANY OTHER STATUTORY PROVISION. NO PART OF THE PROPOSED DEVELOPMENT SHOULD BE STARTED WITHOUT COMPLYING WITH SUCH REQUIREMENT.



Martin Grainger
Head of Development Management

Date: 29th May 2025

Mr Janet O'Neill
C/O Mrs Janet O'Neill (O'Neill Planning Associates Limited)
Lancaster House James Nicolson Link YORK North Yorkshire YO30 4GR

NOTES

This is an approval under the Town and Country Planning Act only.

YOUR RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Where this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Otherwise, if an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission or prior approval for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Otherwise, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on [GOV.uk](https://www.gov.uk).