

NYMNPA

22/07/2019

**From:**  
**Sent:** 22 July 2019 08:01  
**To:** Planning  
**Cc:** Jill Bastow  
**Subject:** RE: NYM/2019/0311 Brackenrigg, Fylingdales

Dear Jill

Please find the revised documents as per your request which include:

1. Revised statement confirming access arrangements
2. Revised plan to confirm original access is to remain in place.

Please don't hesitate to contact me should anything further arise and I will do all that I can to assist

Kind regards

*Cheryl*

Cheryl Ward Planning  
MSc MRTPI

**Please note: I will be away from the office on the following dates:  
23 July, 30 July, 6 August, 13 August, w/c 19 August, 27 August**

**W:** [www.cherylwardplanning.co.uk](http://www.cherylwardplanning.co.uk)

Referrals welcomed



JULY 16, 2019



## PLANNING SUPPORTING STATEMENT

USE OF LAND FOR SITING OF DOUBLE GARAGE TOGETHER WITH A MOBILE  
CARAVAN UNIT FOR PURPOSES INCIDENTAL TO THE ENJOYMENT OF THE  
DWELLING HOUSE (FAMILY CARE FACILITY) AND CREATION OF NEW ACCESS  
ONTO A171 AT BRACKENRIGG, FYLINGDALES

FOR: MR G LONG

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### Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by
01	02/05/2019	Client request	CWP
02	16/07/2019	NYM re: access	CWP

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## 1. Introduction

- 1.2 Cheryl Ward Planning has been appointed to submit a planning application in relation to the area outlined in red on the attached location plan at Brackenrigg, Fylingdales, Whitby, YO22 4QH.
- 1.3 The client has instructed the use of land for the siting of double garage together with a mobile caravan unit for purposes incidental to the enjoyment of the dwelling house to support a family care facility.
- 1.4 The land falls partially within the domestic curtilage and partially out with on an adjacent orchard.
- 1.5 The application also seeks permission to introduce a new safe and convenient access onto the A171 Whitby to Scarborough road.
- 1.6 The accompanying plans identify the site and its relationship to other property and land uses.
- 1.7 The application is a full application for planning permission under the Town and Country Planning Act 1990 and the development is justified in the preceding sections.
- 1.8 This Statement is prepared by Cheryl Ward Planning who holds an MSc in Town Planning and is a Chartered Member of the Royal Town Planning Institute.

## 2. Purpose of Statement

- 2.1 The statement is to be read and fully considered as a supporting document in conjunction with the accompanying planning application. Its aim is to assist those assessing the application to understand the design and access rationale. In summary, it provides a structured way of describing the development proposal.

## 3. Planning History

- 3.1 A search of the Authority's online records reveals there is no planning history associated with the site.

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## 4.0 The Site

### Site context and surroundings

- 4.1 Brackenrigg is a detached dormer bungalow situated on the edge of the busy A171, Whitby to Scarborough road. It lies adjacent to the Jet petrol and services and The Flask Inn holiday park. The application site shares an access with the forecourt of the Petrol Station.
- 4.2 In a wider context the site lies 4 kilometres south west of Robin Hoods Bay and north of Scarborough (approx. 13 kilometres) on the coastal hinterland.
- 4.3 The Fylingdales area is characterised with caravan parks and leisure and tourism sites namely, Grouse Hill Caravan Park, Spring Hill Camping and Caravan Park, Meadowbeck Holiday Cottages and Shepherds Huts and The Flask Inn Holiday Park.
- 4.4 The application property is set back from the road by 25 metres and comprises the main house and an orchard to the west which is well screened from the road. The majority of the domestic curtilage extends to north and west with little in the way of usable domestic space at the rear. There is evidence of former buildings on land and a former hedge line and children's play equipment associated with the bungalow.
- 4.5 At the rear of the site (south west) there is a former lattice tower windmill and an agricultural/industrial type of building together with a permanently stationed static caravan. Directly behind Brackenrigg there is a large white bungalow which appears to be occupied as a primary residence.
- 4.6 Brackenrigg is a modest bungalow of reconstituted stone and a pantile roof. Two dormer windows are situated in the roofspace.
- 4.7 The property has a single outbuilding comprising a small pebble dash rendered flat roof sectional garage which isn't of a scale sufficient to house a motor vehicle and is therefore used for storage purposes incidental to the enjoyment of the dwellinghouse.
- 4.9 In summary, the site benefits from only a small amount of outside storage but given the scale of the site we feel there is scope to carefully site new structures on the adjacent land which is partially within the curtilage and partially outwith without spoiling the character of the area, the setting of the main dwelling and views into and out of the site.
- 4.10 The site in general has flat topography with hedging to the north and west sides which will assist in screening future development. Other than a small cluster of trees near the site entrance which are unaffected by the proposal there are no trees on the site. The site is largely rectangular in area.



Fig 1. – Source: Magic map used for illustrative purposes only to show the extent of domestic curtilage

#### Geographic Information

- 4.11 A thorough check of Magic Map has revealed there is no presence on the site edged in red or within close proximity to any known ecological (habitat and species), archaeological, landscape classification or marine constraints that would have a bearing on the submission of the application.
- 4.12 Further to our research, it is not considered that additional surveys or appraisals are necessary in this instance and validation of the scheme as presented is requested.

#### Flood Risk

- 4.13 The site is not deemed to be at risk of flooding from rivers, surface water or reservoirs as confirmed by the Environment Agency's long-term flood risk assessment for locations in England

#### Planning Application Submission includes:

- Location plan
- Development layout plan – by hand
- Garage floor plans and elevations
- Specification of mobile caravan unit
- Letters of support from family members

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## 5.0 The Proposal

### Double garage

- 5.1 The proposal seeks full planning permission for erection of a detached, single storey domestic double garage for housing the applicant's vehicle(s).
- 5.2 The garage is to be sited at the side of the main house (west) albeit slightly forward of the main building which is screened from view from the nearby A171 by the cluster of trees and high hedge occupying the north east corner of the site.
- 5.3 At present the site does not benefit from turning or manoeuvring within the site and can only be accessed in a forward gear. This means the applicant has no option but to reverse out of the site onto the shared access with the petrol station.
- 5.4 Whilst the existing access is to remain open for use and will continue to provide parking for the main house, for highway safety purposes and future users of the site it is proposed to create a new access which will be directly from the A171 onto the applicant's land.
- 5.5 The garage measures 7.3 metres long and 6.7 metres wide and 2.4 metres to the eaves and 3.5 metres to the ridge. The building is single storey and incorporates 2 no. individual, side hung timber garage doors in the south elevation and a personnel door and 2 no. windows in the east/west elevations.
- 5.6 The garage is located unobtrusively so as not to become the focal point of the new approach to the main house and is to be constructed with a traditional timber frame and clad in timber boarding under a felt roof.
- 5.7 As a compensatory measure for the loss of a small amount of hedge a series of native trees and fruit trees have been planted in the orchard. The existing roadside hedge will be left to grow taller and be properly maintained.

### Mobile Caravan Unit

- 5.8 Planning permission is sought for the siting of 1 no. mobile caravan unit on the land adjacent to the property (west).
- 5.9 It is proposed that the unit would be located on the site's southern boundary at a distance of 20 metres from Brackenrigg. It would have a stand-off distance of 3 metres from the site boundary.
- 5.10 The external measurements of the unit are 15.2 metres long and 6.7 metres wide with an internal floor to ceiling height of less than 3.05 metres.
- 5.11 The unit would have an external finish in wood cladding in either Western Red Cedar or French Douglas. Vertical cladding has been chosen for its weathering properties, faster rain run-off times and better moisture resistance.

- 5.12 A structural steel frame is integrated into the roof which will take form as a low pitch roof, with a reinforced waterproof membrane. The roof is a low level dual pitch with a profiled metal tile sheet which can be slates, tiles or Cedar shingles.
- 5.13 Delivery of the structure would take place on 2 no. lorries each transporting a half of the unit and take around 2 weeks to erect after arrival. The framework and all other timber components are manufactured off-site. The unit simply requires a concrete pad to attach the unit to the ground. Once on site, the lodge is placed on a chassis at a height of 570 mm above ground level.
- 5.14 The unit will provide accommodation for 2 occupants of the family of those residing at Brackenrigg.

#### Justification for accommodation

- 5.15 The applicants have methodically mapped out their future plans in the short, medium and long term and this is the driving force behind the role they will play in the future in supporting family members (mother and brother).
- 5.16 The applicants focus is on the practicalities of providing accommodation and financial support to the deteriorating of the health of family members and to assist with the day to day activities which they can no longer manage themselves.
- 5.17 The applicant currently makes a six hour round trip from Fylingdales to Saltfleet, Lincs to provide weekly care. On top of this the applicant's brother is also in need of care and supervision.
- 5.18 Neither the applicant's mother or brother are able to drive or have other family members close by.
- 5.19 Due to the distances involved, the family rely on other people for additional help and support. This is often spasmodic and unreliable. This reliance is also limited, particularly for example when hospital appointments need to be met.

#### Mobile caravan unit

- 5.20 The applicant can no longer carry on providing this intensity of continuous care provision. Collectively the family have discussed the implications for achieving a far greater level of care from their own home at Brackenrigg. This would ensure the wellbeing of both the applicant and family members and around the clock care can take place from one site.
- 5.21 At the same time the applicant wishes to keep their home their own. Brackenrigg is a modest bungalow where relatives are unable to climb the stairs.
- 5.22 An extension at the rear of the house has been eliminated as there is little space for this and would use all but every bit of private amenity space the dwelling benefits from.
- 5.23 An extension at the side of the house is not a financially viable option.

- 5.24 The land/orchard at the side of the house has been chosen as it is land within the applicant's ownership which is underused and will allow the existing dwelling to retain what curtilage it has.
- 5.25 With regards to the use and purpose the caravan unit would enable the applicant to be on-hand to provide daily support and visa versa, i.e. family members will utilise the main house (Brackenrigg) for company, meals, cloths washing, ironing etc. It is these everyday tasks which are often taken for granted that are simply not achievable.
- 5.26 Being able to have the accommodation nearby is fundamental to the applicant as it will form an integral part of their home (incidental) and is a necessity for the provision of care and independence that could then be provided for family members. In the medium and long term, it will completely cut out the long distance travel which is not sustainable.
- 5.27 Without the applicant's dedication, at some stage in the near future, if nothing is done family members will become the responsibility of the State for housing and care needs and the applicant is not prepared to let that happen particularly when they have land available that can cater for this need.

#### Access

- 5.28 A new access to serve the dwelling will be created over the same parcel of land within the applicant's ownership. A small section of hedge will be removed, and a verge crossing will be introduced to highway standards over the highway verge. Clear visibility over 80 metres is achievable in both directions (taken 2 metres back from the centre line of the carriageway at driver's height).
- 5.29 Inside the site the access would run south and turn back towards the dwelling (east) onto an area of hard standing in front of the garage and the mobile unit.
- 5.30 With the land available and ready for development it makes sense to make improvements to the access arrangements.
- 5.31 There is no planned increase in traffic by the development proposed.

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## 6.0 Legal Legislation

- 6.1 The proposed caravan unit conforms to the legal definition of a caravan. The legal definition of a caravan was established in the Caravan Sites and Control of Development Act 1960. It was modified in 1968 to include twin-unit mobile homes and again in 2006 when the size threshold was increased.

**Section 29 (1) of the Caravan Sites and Control of Development Act 1960** defined a caravan as:

“ ... Any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted but does not include:

- (A) any railway rolling stock which is for the being on rails forming part of a system, or
- (B) any tent”

**Section 13 (1) of the Caravan Sites Act 1968** deals with twin-unit caravans. Section 13 (1) provides that:

“... a structure designed or adapted for human habitation which:

- (A) is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps and other devices; and
- (B) is, when assembled, physically capable of being moved by road from one place to another (whether being towed, or by being transported on a motor vehicle or trailer), shall not be treated as not being (or have been) a caravan within the meaning of Part 1 of the Caravan Sites Control of Development Act 1960 by reason only that it cannot lawfully be moved on a highway when assembled”.

- 6.2 To all intents and purposes what is proposed is a twin-unit caravan and not a static caravan or single unit park home. It is made in two sections and will remain divisible in two sections and will be ‘separately constructed’ independently of each other and has the structural integrity of being moved by jacking or by crane in order to meet the test of the Caravan Act 1968 – for twin-units.
- 6.3 Albeit in two separate halves the caravan need not resemble a caravan prior to final assembly. In this case the appearance of the caravan will be well integrated with the site’s surroundings where many other similar structures exist.
- 6.4 The act of joining the two sections together will comprise the final assembly on site at Brackenrigg.
- 6.5 The attached plans, specification and images show the mobile unit that is being proposed. It is confirmed that this is a twin-unit mobile home unit.

## 7.0 Planning Policy Context

### National Planning Policy (NPPF2) (2019)

- 7.1 National planning policy is set out in the National Planning Policy Framework (NPPF) which was published in January 2019. This provides a framework within which regional and local policy is set. The publication of the National Planning Practice Guidance (NPPG) in March 2014 gives further guidance.
- 7.2 Paragraph 8 of NPPF2 advises that there are three dimensions to sustainable development, economic, social and environmental. The key to providing sustainable development is to ensure that all three are considered within planning decisions and plan making. It advises that well designed buildings and places can improve the lives of people and communities.
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 7.3 Paragraph 9 of NPPF2 advises that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.
- 7.4 Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 7.5 Paragraph 131 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings'.
- 7.6 In addition to the above, paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

- 7.7 Paragraph 002 of the NPPG (Ref ID: 53-002-20140306) is clear that the link between planning and health has been long established. The built and natural environments are major determinants of health and wellbeing. This is further supported by the three dimensions to sustainable development in the NPPF.

North York Moors National Park Authority – Core Strategy and Development Policies (2008)

- 7.8 The Core Strategy and Development Policies document sets out the policies which guide where new development will take place in the National Park and to determine planning applications.
- 7.9 The Core Strategy and Development Policies was adopted in November 2008 and is nearing its term for providing up to date planning policy. The Strategy works in conformity with the National Planning Policy Framework (NPPF), referenced above.
- 7.10 **Core Policy A (Delivering National Park Purposes and Sustainable Development)** of the NYM Local Development Framework seeks to further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities.
- 7.11 **Core Policy B (Spatial Strategy)** of the NYM Local Development Framework is the overarching strategy to meet the needs of people in the National Park and is based upon improving the sustainability of local communities by supporting, improving and consolidating existing services and facilities, providing additional housing. In the open countryside there is a commitment to provide (c) 'provide other essential social or community need where there are no other suitable locations in settlements listed in the settlement hierarchy'.
- 7.12 **Development Policy 3 (Design)** of the NYM Local Development Framework seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing, materials and design are compatible with surrounding buildings; that the standards of design details are high and complements that of the local vernacular; good quality sustainable design and construction techniques are incorporated; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.
- 7.13 **Development Policy 19 (Householder Development)** is considered as the property is a principle residence. It requires proposals for development within the domestic curtilage to be of a scale, height, form, position, and design that does not detract from the character and form of the original dwelling or its setting in the landscape and not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.

### Supplementary Planning Documents

- 7.14 **Part 2** (Extensions and Alterations to Dwellings) states ‘the siting and design of other structures such as sheds and greenhouses also need care consideration. These should be smaller in scale and clearly ancillary to the main dwelling.

## 8.0 Planning Assessment

### Key Issues

- 8.1 Although Brackenrigg is lacking in immediate domestic curtilage it is fortunate that the orchard to the west is available and is well screened from the busy A171.
- 8.2 The site can be used to deliver a safer access for the applicant and other road users. At the same time, it is considered beneficial to introduce a fully serviceable and usable garage/outbuilding which the property is currently lacking.
- 8.3 The proposed double garage is to be sited on the land within in close proximity to the house and protects the existing amenity space at the front, side and rear which is needed to continue to service the host building. The property also lacks proper private garden space.
- 8.4 The garage and mobile unit together with a safer access would not harm the special qualities of the house, amenity areas or the overall setting of the house.
- 8.5 Combined with the main house, the scale and design of the garage and mobile unit would not be at odds with the character and scale of nearby buildings, neighbouring buildings and properties.
- 8.6 The design of the development has deliberately been kept simple and is traditional in appearance and is ‘low impact’ to serve the intended purposes. All services will be undergrounded to maintain the overall appearance of the area.

### Mobile unit (in more detail)

- 8.7 The application seeks to erect a mobile twin-unit structure on the land immediately adjacent to Brackenrigg. Internally it will have a range of amenities that could be classed as an independent facility however it is not intended to fit the criteria of a self contained unit or independent dwellinghouse.
- 8.8 The proposal has these facilities in order that the applicant can cater for family members from both inside the main house and from within the mobile structure should needs be.
- 8.9 In its true meaning, the unit is a twin-unit under **Section 13 (1) of the Caravan Sits Act 1968** and its main purpose is to serve as overflow accommodation for the main house.

- 8.10 The location of the structure is to a certain extent dictated by existing site boundaries and the availability of land which is ready for use. The area constitutes part of a larger sub-section of land between the current A171 and the old Fylingdales road where other development has been located. They comprise a Jet Petrol Station and The Flask Inn Holiday Park which provides a development of over 50 permanently stationed caravans for holiday use. The land has and continues to be used for leisure plots and the proposed development therefore does not depart from the type of development in the local area – see **Fig 1** below.



**Fig 1. – Red line shows developed land. Green line is the application site**

- 8.11 A good a level of screening is provided to shield the development from adjacent A171 and that of neighbouring amenity and to provide a respectable of level of privacy and amenity for the host building. All existing site boundaries as such will remain in situ.
- 8.12 Further enhancements are being made at the site in the form of planting and biodiversity encouragement. The applicant has re-planted with orchard with fruit trees, red current, Logan berries and blueberries. In turn this will encourage wildlife, flora and fauna to activate the site.
- 8.13 The development will provide a close visual and physical link between it and the main dwelling and would be wholly ancillary to the enjoyment of the main house.
- 8.14 The mobile unit will allow the occupiers of Brackenrigg to cater and care for family members without pinching from the amenity of the host building.



- 8.15 In this case, the site is wholly capable of accommodating such a structure and the development will enable both parties to retain a level of independence whilst ensuring continuity of care via close family members.
- 8.16 Without the presence of the main dwelling it is doubtful that the mobile unit would be capable of providing a reasonable level of full time habitable living accommodation for two occupants.
- 8.17 Both the main house and the mobile unit are required to provide a level of accommodation which is essential to existing and future occupants (family members) and nothing more than this.
- 8.18 If the LPA consider it necessary the applicant is willing to offer further safeguarding for the National Park landscape by way of planning conditions to:
- 1) Tie the buildings and accommodation to Brackenrigg and accept that it is not sold or leased separately
  - 2) that it does not form a separate or independent unit of accommodation
  - 3) when the use of the mobile unit ceases as a family care facility that it is removed from the site and the land restored to orchard
- 8.19 We would ask that the Authority offers some flexibility to the applicant and to deal with the application on its own merits based on the genuine facts of the case. Under the exceptional circumstances outlined above the LPA are asked to accept that the development as being ancillary to the use of the main dwelling known as Brackenrigg as an extension to the existing accommodation.
- 8.20 In summary, the development would be located in close proximity to the main dwelling and in terms of functioning and design would not materially harm the special qualities of the application site, the orchard or the wider area where similar development exists. The development is unlikely to impact on neighbouring residential amenity.

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## 9.0 Conclusion

- 9.1 It is concluded that the proposed garage satisfies planning policy requirements and the general principles set out in national and local planning practice guidance in that it does not undermine the main house and the site in terms of volume, scale, height, depth and form.
- 9.2 In terms of good practice, the development is considered to meet the three dimensions to sustainable development - economic, social and environmental in that:
- a) there is a clear identified need in that the development is needed to support the existing dwelling which is currently without secure outside storage,
  - b) it supports the development of the property for existing and future occupants (which are in need) and is compatible with National Park purposes, and
  - c) it does not undermine the quality of the existing natural or built environment.
  - d) the property requires a safe and satisfactory means of access to serve an existing dwellinghouse where no increase in activity is proposed.
- 9.3 With regard to the mobile unit it will be wholly ancillary to the use of the main house and seeks to pursue a development that is sustainable and is seen as a positive improvement in people's quality of life, including improving the conditions in which people live, work, travel and take leisure as required by NPPF2.
- 9.4 The development is two-fold in that it will improve not only the quality of life to future occupants (the applicants family members) but also to that of the applicants themselves in terms of reducing the need to travel and being able to provide a level of care needed.
- 9.5 From a planning point of view the development is a sustainable future option.
- 9.6 Taking account of the above, the development is considered to accord with the policies of the Development Plan in force and It is hoped that officers will be supportive of the proposal.

Photographs of the site ....



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Fig 2. – Looking west into the orchard



Fig 3. – Looking south west through the site (existing garage in background)



Fig 4. – shows close proximity to petrol station and associated access issues



Fig 5. – Looking west towards the end of the orchard



Fig 6. – Looking south and site boundary towards neighbours static caravan

## Cheryl Ward Planning

Offering a high quality, technical and locally focused Planning and Development Consultancy service. With a pragmatic and conscientious approach to all projects our core aim is to achieve the best possible outcome for our clients.

1Accompanied by an in-depth knowledge of the local area and a deep-rooted understanding of local authority planning requirements the business is well equipped to deal with all-encompassing planning matters specialising in planning applications (all types) – town and rural i.e. residential, rural and equine planning projects whether it be traditional or contemporary in design.

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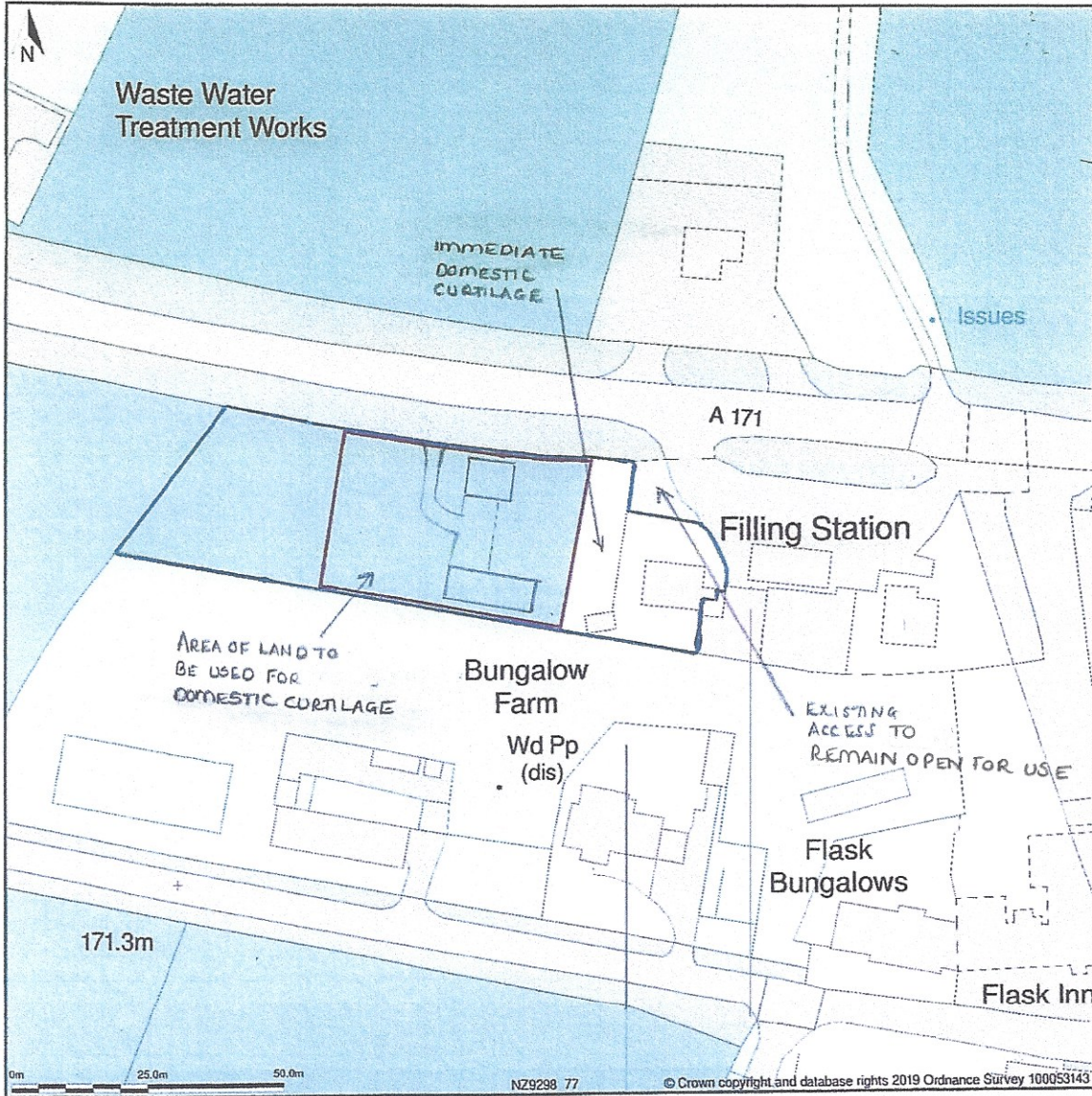
- Pre and post planning advice
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  - Agricultural and Forestry Notifications
  - Planning Supporting Statements
  - Discharge planning conditions
  - Check and send service – Cheryl Ward Planning can check forms, plans and other documents etc to make sure your application will be validated by the Council. Finally, we will submit your application via the Planning Portal on your behalf.
- Planning Enquiries
  - Planning Applications (all types)
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  - Variations/amendments to planning approvals
  - Prepare and submit planning appeals

NYM Moors, Yorkshire Dales, Whitby, Scarborough, Ryedale, Hambleton, Redcar and Cleveland, Selby, Wolds, North Lincolnshire, North East

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W: [www.cherylwardplanning.co.uk](http://www.cherylwardplanning.co.uk)

**Brackenrigg, Blacksmith Hill, Fylingdales, Whitby, North Yorkshire, YO22 4QH**



Site Plan shows area bounded by: 492888.28, 500672.66 493088.28, 500872.66 (at a scale of 1:1250), OSGridRef: NZ9298 77. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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