

**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: Ms Laura Heath
c/o Compass Point Planning
fao: Andrea Long
The Old Vicarage
Victoria Square
Lythe
Whitby, YO21 3RW

The above named Authority being the Planning Authority for the purposes of your application validated 19 September 2019, in respect of proposed development for the purposes of **variation of condition 7 of planning approval NYM/2019/0299/FL to amend the maximum number of events and removal of reference to shooting activities at Egton Manor, Egton Bridge** has considered your application and has **granted** permission for the proposed development subject to the following conditions:

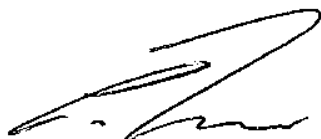
1. The development hereby permitted shall be commenced before the 16 August 2022.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan		18 July 2019
Existing Floor Plans & Elevations	D11473-02 Rev D	27 June 2019
Proposed Floor Plans & Elevations	D11473-03 Rev E	27 June 2019
Disabled Access Ramp Details		18 July 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 2, Class A (or any order revoking and re-enacting that Order), no gates, walls fences or other means of enclosure shall be erected without a further grant of planning permission being obtained from the Local Planning Authority.
4. The marquee hereby approved shall be removed from site outside of the months of May to September and the site and use of the area shall be returned to its former condition.
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. The garages shown on the existing plans shall be retained as garaging and storage associated with the proposed and existing uses.

Continued/Conditions



Mr C M France
Director of Planning

Date 05 November 2019

Please Note your Rights of Appeal are attached to this Decision Notice

Town and Country Planning Act 1990

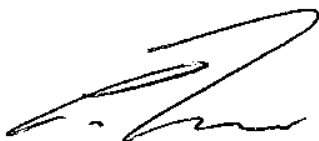
Continuation of Decision No. NYM/2019/0658/FL

7. The application hereby approved only grants permission for up to a maximum of 24 events per year, regardless of the minimum number of attendees and this shall not take place when any shoot related event is taking place at Egton Manor. Only one event shall be held per day and the maximum number of attendees to any event shall be 160.
8. All activity on site shall be managed in accordance with Section 10 "Operation of Events" of the Planning, Heritage, Design and Access Statement, Amended to include Floor Risk Assessment written by Compass Point and received on 28 May 2019 and the bullet points stated in Laura Heath's email rec'd at 07:46 on 4 July 2019. For the avoidance of doubt in relation to noise issues these state that all events will finish no later than 12 midnight. All Music turned down at 11.45 and completely off at 12 midnight and there will be no live music after 10pm.
9. The application indicates that besides the relocation of the hexagonal tiles, repairing/reinstatement of the panelling and the insertion of a suspended timber floor there are to be no further wall treatments ie insulation, plasterboard proposed. For the avoidance of doubt if any additional works are found to be required then a further application will be required.
10. Any repointing or repairs to plasterwork around new door openings should be carried out in a like-for-like basis. For the avoidance of doubt the mortar or plaster specifications shall be submitted to the Authority for approval prior to any repairs being undertaken.
11. No work shall commence on site to clear or strip out the building to which this permission relates until a programme of building recording and analysis in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved scheme of investigation.

Informatives

1. Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the Listed Building consent.
2. 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



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Continuation of Decision No. NYM/2019/0658/FL

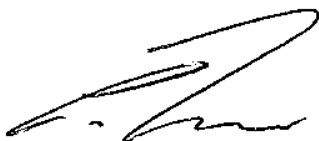
3. Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England <http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx>. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.

If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.

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. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
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. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with NYM Development Policy 1.
7. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
- 8 – In order to ensure that the development is carried out in a manner which safeguards
10. the existing fabric of the building and to comply with the provisions of NYM Development Policy 5.

Continued/Reasons for Conditions



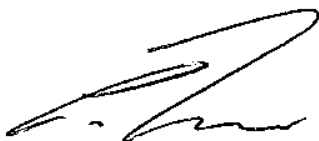
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11. In order to ensure that any features of historic and/or architectural interest are adequately recorded prior to development commencing on site and to comply with NYM Development Policy 5, which seeks to ensure that alterations to Listed Buildings do not have an unacceptable impact on the special historic or architectural interest of the building.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework



Mr C M France
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Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so 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 00 00) or online at www.planningportal.gov.uk/planning/appeals

Notes

1. Please note, only the applicant possesses the right of appeal.
2. No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
3. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
4. If 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.
5. 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.