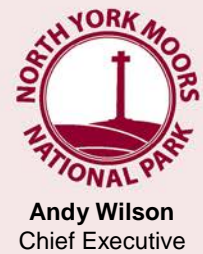


North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Tel: 01439 772700
Email: general@northyorkmoors.org.uk
Planning enquiries: planning@northyorkmoors.org.uk
www.northyorkmoors.org.uk



Doug Jennings Planning Services
7 Kingtree Avenue
Cottingham
HU16 4DS

Your ref:
Our ref: NYM/2019/0745/AGRP
Date: 19 December 2019

Dear Sir/Madam

Notification under 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) for erection of general purpose agricultural building (excluding the housing of livestock/slurry/sewage sludge) at River Head Farm, Lownorth Road, Harwood Dale

Thank you for your notification under the above Order, which was validated on 31 October 2019.

I am writing, on behalf of the National Park Authority, to advise you that your proposal for erection of general purpose agricultural building (excluding the housing of livestock/slurry/sewage sludge) at **River Head Farm, Lownorth Road, Harwood Dale** as shown on the submitted plans, has been approved subject to the following condition/informatives:

1. The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey in a matt finish and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.

Informatives

1. The applicant is advised to ensure guttering to the new building is provided to ensure clean water falling on the roof is either collected into butts/troughs for re-use, or directed to a soakaway or into a watercourse/pond, to avoid the creation of additional dirty water.
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.



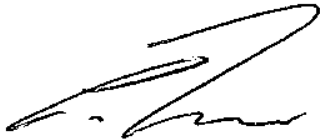
Please Note your Rights of Appeal are attached to this Decision Notice

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/speciallyprotected_birds.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.

The work must be carried out in accordance with the detailed specifications and plans comprised in the notification hereby approved and commenced within five years of the date of this letter, otherwise a new formal notification will be required.

Yours faithfully



Mr C M France
Director of Planning

If you are aggrieved by this decision you have the same rights of appeal that you would have if a planning application had been refused and these are set out below for your information.

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 in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. 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. 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.
3. 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.