

**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: Mr Keith Dobbie
c/o Sanderson Weatherall LLP
fao: Mr Owen Pike
30 Queen Square
Bristol
BS1 4ND

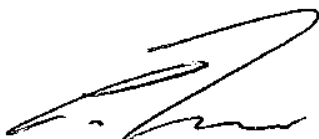
The above named Authority being the Planning Authority for the purposes of your application validated 14 January 2020, in respect of proposed development for the purposes of **variation of condition 2 (material amendment) of planning approval NYM/2015/0885/FL (allowed on appeal) to allow changes to the footprint and design of the log cabin/mobile unit, changes to the footprint, design and location of store and relocation of parking area at paddock to the south of Wyke Lodge, Hodgson Hill, Staintondale** has considered your application and has **granted** permission for the proposed development subject to the following conditions:

1. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Site Location Plan	KYN014021-20 Rev.G	14 Jan 2020
Proposed Detailed Site Layout	KYN014021-03-2 Rev.K	14 Jan 2020
Replacement Store Plans and Elevations	KYN014021-09 Rev.K	14 Jan 2020
Proposed Caravan Elevations	KYN014021-04 Rev.I	14 Jan 2020
Proposed Caravan Floor Plan	KYN014021-05 Rev.I	31 Jan 2020

- or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
2. The development hereby approved shall only be occupied for holiday and/or recreational purposes by the owner of the land edged blue on the Site Location Plan ref; KYN014021-20 Rev.G received by the Local Planning Authority on 14 January 2020 and members of the owner's family. The development shall not be occupied as a person's sole or main place of residence, or for more than 150 days per calendar year. The owner shall maintain an up-to-date register of the names and addresses of all occupants of the development and shall make this information available at all reasonable times to the Local Planning Authority.
3. The development hereby approved shall not be occupied until the existing touring caravan has been removed from the site. Other than the cabin hereby approved, no caravans shall be stationed on the site thereafter.
4. If the development hereby approved remains unoccupied for a period exceeding one year, the use shall cease and the cabin shall be removed and the land shall be restored to its condition before development took place.

Continued/Conditions



Mr C M France
Director of Planning

Date 10 March 2020

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

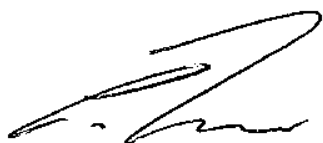
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Continuation of Decision No. NYM/2020/0022/FL

5. No external lighting shall be installed at the site other than in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and maintained as such thereafter.
6. The development hereby approved shall not be occupied until the external surfaces of the cabin have been clad in tongue and groove vertical larch cladding as approved under NYM/2019/0258/CVC dated 1 August 2018.
7. The roof shall be coloured dark grey prior to the development being brought into use and shall be retained as such.
8. The development hereby approved shall not be occupied until the foul water drainage has been provided in accordance with the details approved under NYM/2018/0258/CVC dated 1 August 2018.
9. The development hereby approved shall not be occupied until the access to the site has been constructed in accordance with the details approved under NYM/2019/0258/CVC dated 1 August 2018.
10. The access to the site shall be surfaced with local crushed limestone prior to the development being brought into use and shall be retained as such.
11. The hard and soft landscaping works approved under NYM/2018/0258/CVC dated 1 August 2018 shall be implemented during the 1st planting season following completion of the development hereby approved. The completed landscaping scheme shall be managed and maintained in accordance with the approved scheme of management and maintenance.
12. Notwithstanding the provisions of Class B, Part 5 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 required by the conditions of a site license shall be permitted without the granting of planning permission by the Local Planning Authority.
13. Within six months of the date of this decision the existing store on the site shall be reduced in size in accordance with the details approved under drawing number KYN014021-09 Rev.K received by the Local Planning Authority on 14 January 2020.

Reasons for Conditions

1. 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.
2. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to provide facilities for visitors in line with NYM Development Policy 16.
3. 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.
- 4 & 5. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.



Mr C M France
Director of Planning

Date 10 March 2020

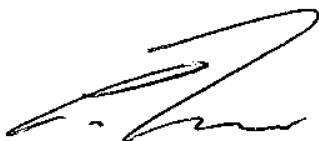
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- 6 & 7. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
8. To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
9. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
10. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.
11. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
12. In order to enable the Local Planning Authority to retain control over future buildings at the site in the interests of safeguarding the landscape character of the locality and in line with NYM Core Policy A and NYM Development Policy 16, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
13. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.

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
Director of Planning

Date 10 March 2020

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.