

North York Moors National Park Authority

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Andy Wilson
Chief Executive

Bell Snoxell Building Consultants
fao: Mr Louis Stainthorpe
Mortar Pit Farm
Sneatonthorpe
Whitby
YO22 5JG

Your ref:

Our ref: NYM/2020/0257/AGRP

Date: 29 May 2020

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 extension to existing agricultural building to provide grain store, workshop and store at Russell Hall Farm, Stainsacre Lane, Whitby

Thank you for your notification under the above Order, which was validated on 09 April 2020.

I am writing, on behalf of the National Park Authority, to advise you that your proposal for erection of extension to existing agricultural building to provide grain store, workshop and store at **Russell Hall Farm, Stainsacre Lane, Whitby** as shown on the submitted plans, has been approved 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
Location Plan	FC01 01	09 April 2020
Site Plans	FC01 04	09 April 2020
Proposed Plans	FC01 03	09 April 2020
Hedging Plan (aerial photograph)	N/A	12 May 2020
E-mail containing hedge details from Louis Stainthorpe, Bell Snoxell Building Consultants		19 May 2020

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
2. The materials used for the external elevations and roof covering shall match those of the existing building and thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.

Continued/Conditions

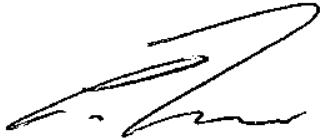


Please Note your Rights of Appeal are attached to this Decision Notice

3. The replacement hedge planting shall consist of at least six native species including those such as hazel, dog rose, dogwood, field maple and guelder rose and shall be carried out no later than the first planting and seeding seasons following the completion of the development or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
4. If the use of the building for the purposes of agriculture within the unit permanently ceases within five years from the date on which the development was substantially completed, the building shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing or unless planning permission for change of use of the building to a purpose other than agriculture has been approved.

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.