

**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: Miss Laura Forster
c/o Compasspoint Planning & Rural Consultants
The Old Vicarage
Victoria Square
Lythe
Whitby
YO213RW

The above named Authority being the Planning Authority for the purposes of your application validated 27 May 2020, in respect of proposed development for the purposes of **use of land for the siting of 20 no. tents and 10 no. glamping pods, construction of ancillary building and creation of associated access and parking at land west of Newton House Lodge, Lousy Hill Lane, Littlebeck** has considered your application and has **granted** permission for the proposed development subject to the following:

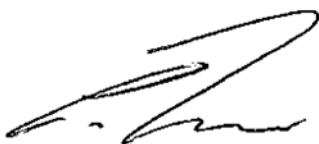
Condition(s)

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
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 & Block Plans Ancillary Building | 04-2020-1001 | 27/05/2020 |
| Floor Plans & Elevations | 04-2020-1002 | 27/05/2020 |
| Location & Block Plans of Applicants Home in Relation to the Application Site | 04-2020-1003 | 26/08/2020 |

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. 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.
4. The development hereby permitted shall form and remain part of the land associated with Moorhouse Farm, Lousy Hill Lane, Littlebeck and shall not be sold or leased off from that main dwelling or let off except as holiday accommodation in accordance with the terms of condition 5 below without a further grant of planning permission from the Local Planning Authority.
5. The glamping pods hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.

Continued/Condition(s)



Mr C M France
Director of Planning

Date .26 August 2020

**Town and Country Planning Act 1990
North York Moors National Park Authority**

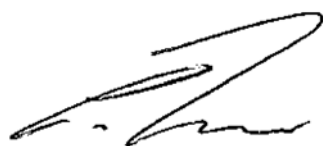
**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

6. The consent hereby granted relates to the use of land for no more than 20 tents and 10 glamping pods from 10th February in one year to 10th January in the following year only. There shall be no use of any of the glamping pods or the siting of any tents during the closed one month season.
7. 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.
8. The external surface of the roof/walls of the glamping pods building hereby permitted shall be coloured and thereafter maintained dark brown and the external surface of the roof of the ancillary building hereby approved shall be coloured dark grey and they shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
9. The external elevations of the ancillary building hereby approved shall, within three months of first being brought into use, be clad in horizontal timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
10. All new window frames, glazing bars and external doors and door frames shall be of timber construction, and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
11. The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
12. The development must not be brought into use until the access to the site off Foss Lane has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The crossing of the highway verge must be constructed in accordance with the standard Detail number E9A and the following requirements.

- i) Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
 - ii) The final surfacing of any private access within 1 metre of the public highway must not contain any loose material that is capable of being drawn on to the existing public highway.
- All works must accord with the approved details.
13. No structures shall be placed within the root protection areas of any trees within or adjacent to the application site unless otherwise agreed in writing by the Local Planning Authority.

Continued/Condition(s)



Mr C M France
Director of Planning

Date .26 August 2020

**Town and Country Planning Act 1990
North York Moors National Park Authority**

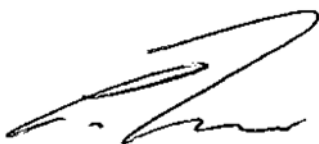
**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

14. No work shall commence to undertake any works to any trees or hedges within or adjacent to the site of the development hereby approved until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.
15. Prior to the development being brought into use details of a landscaping plan for the site, to ensure that wooded areas are appropriately managed, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping plan shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
16. No work shall commence on the access and car parking area hereby approved until full details of the access and parking area surfacing have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the access surfacing shall be in the form of twin trods. The development shall not be brought in to use until the access and parking area have been surfaced in accordance with these details. The access surface shall be maintained in that condition in perpetuity.
17. If the use of the glamping pods hereby approved permanently ceases they shall be removed from the site within 12 months of that cessation and the site shall, as far as practical, be restored to its condition before development took place

Reason(s) for Condition(s)

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 Strategic Policies A and C, 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 buildings at the site in the interests of safeguarding the landscape character of the locality and in line with NYM Strategic Policy A and NYM Policy UE2, 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 Strategic Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
5. The site is in a location where new residential development would be contrary to NYM Strategic Policy B but permission for tourism accommodation has been permitted in line with NYM Policy UE2.
6. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Strategic Policy A which seek to conserve and enhance the special qualities of the NYM National Park.

Continued/Reason(s) for Condition(s)



Mr C M France
Director of Planning

Date .26 August 2020

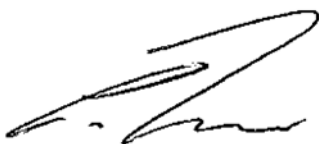
**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

7. In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
8. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C 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.
- 9 -11. For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policies A and C which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
12. In accordance with NYM Policy CO2 and to ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of prospective users of the highway.
- 13 – 15. The trees within the vicinity of the site are of significant amenity value and every effort shall be made to protect them in accordance with NYM Strategic Policy G which seeks to conserve and enhance the quality and diversity of the natural environment.
16. In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Strategic Policy C which seeks to ensure that development proposals incorporate suitable hard landscaping details.
17. In order to return the land to its former condition and comply with the provisions of NYM Strategic Policy A which seeks to conserve and enhance the landscape of the National Park.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.



Mr C M France
Director of Planning

Date .26 August 2020

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

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.