

**Planning (Listed Buildings and Conservation Areas) Act 1990  
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for  
Listed Building Consent**

To: Mr D Thompson  
c/o Bramhall Blenkharn Ltd  
fao: Mr M Bramhall  
Unit 13  
The Maltings  
Malton  
YO17 7DP

The above named Authority being the Planning Authority for the purposes of your application validated 03 April 2020, in respect of proposed development for the purposes of **installation of 7 no. security cameras and 2 no. wall lights following removal of existing wall lanterns and security lights** at **Foxhill Paddocks, Low Road, Throxenby** 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:

<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>
CCTV Locations	1408_DT68_01C	27 Aug 2020
Proposed CCTV Locations – Elevations	1408_DT68_03C	27 Aug 2020

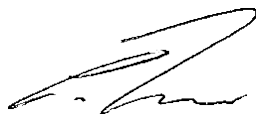
or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. Within six months of the date of this decision the unauthorised security lights and wall lanterns shown on drawing ref: 1408\_DT68\_03B hereby approved, shall be removed unless otherwise agreed in writing with the Local Planning Authority.

**Informative(s)**

1. 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/Informative(s)



Mr C M France  
Director of Planning

Date 28 August 2020

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

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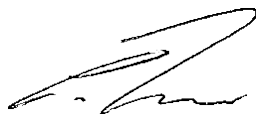
2. For the avoidance of doubt, no permission or consent is given for the unauthorised porch to elevation 5 as shown on drawing ref: 1408\_DT68\_03B. Retention of this structure will require the submission and approval by the Local Planning Authority of a formal application for Listed Building consent.

**Reason(s) for Condition(s)**

1. To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policy A and Strategic Policy 3 of the adopted Local Plan, which seek to conserve and enhance the special qualities of the NYM National Park.
3. In order to ensure that the development is carried out in a manner which safeguards the historic fabric of the building and to comply with the provisions of Strategic Policy I and Policy ENV11 of the Local Plan, 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 in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting 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 28 August 2020

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## Notes

1. 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 further approval has been obtained.
2. Attention is drawn to Section 8 (2)(C) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that demolition of a Listed Building may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposal has been given to English Heritage, Architectural Investigation Section, 37 Tanner Row, York, YO1 6WP, and they subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.
3. (a) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent, for the proposed works, or to grant consent subject to conditions, they may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) 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.  
(b) If Listed Building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims 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 works which have been or would be permitted, they may serve on the council of the county/district a purchase notice requiring that council to purchase his interest in the land in accordance with the provision of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.  
(c) In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) 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](http://www.planningportal.gov.uk/planning/appeals)**

4. Please note, only the applicant possesses the right of appeal.
5. 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.
6. 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.
7. 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.