

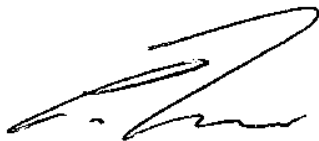
**The Planning (Listed Buildings) (Certificate of Lawfulness of Proposed Works)
Regulations 2014**

North York Moors National Park Authority

Certificate of Lawfulness of Proposed Works

To Mr Damian Buchanan
3 Esplanade
Robin Hoods Bay
Whitby
YO22 4RS

The North York Moors National Park Authority hereby certify that on **22 January 2021** the works described in the First Schedule hereto in respect of the Listed Building specified in the Second Schedule hereto and edged red on the plan attached to this certificate are lawful within the meaning of Section 26H(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), as the works do not affect the character of the Listed Building as a building of special architectural or historic interest. Listed Building Consent is therefore not required.



Mr C M France
Director of Planning

Date 12 February 2021

First Schedule

certificate of lawfulness for re-roofing of Grade II Listed Building

Second Schedule

3 Esplanade, Robin Hoods Bay

Notes

- 1 This certificate is issued solely for the purpose of Section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 It certifies that the works described in the First Schedule taking place to the Listed Building specified in the Second Schedule are lawful and, therefore, are not liable to enforcement action under Section 38 of the Act.
- 3 This certificate applies only to the extent of the works described in the First Schedule and to the Listed Building specified in the Second Schedule and identified on the attached plan. Any works which are materially different from those described or which relate to other Listed Buildings may render the owner or occupier liable to enforcement action.
- 4 The effect of the certificate is also qualified by the proviso in Section 26H(5)(a) of the Act, which states that the lawfulness of the works for which a certificate is issued are to be conclusively presumed to be lawful provided that they are carried out within 10 years beginning with the date of the issue of this certificate.

Notes

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse (in whole or in part) an application for a Certificate under section 26H they may appeal to the Secretary of State under Section 26K of The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014 (appeals against refusal or failure to give decision on application).
2. Notice of appeal in writing must be given to the Secretary of State within six months of the date of this notice of decision, or within such longer period as the Secretary of State may allow. Copies of the following documents must be furnished to the Secretary of State:-
 - (a) The application made to the Local Planning Authority.
 - (b) All relevant plans, drawings, particulars and documents submitted to them including a copy of the statement setting out the applicant's interest in the listed building or buildings, the name and address of any other person known to the applicant to have an interest in the listed building or buildings and whether any such other person has been notified of the application
 - (c) The notice of decision.
 - (d) All other relevant documents and correspondence with the Local Planning Authority.

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

3. Please note, only the applicant possesses the Right of Appeal.

**Plan to Accompany Certificate of Lawfulness
The Planning (Listed Buildings) (Certificate of Lawfulness of Proposed
Works) Regulations 2014**

Scale: 1:1250



certificate of lawfulness for re-roofing of Grade II Listed Building

3 Esplanade, Robin Hoods Bay

North York Moors National Park Authority
The Old Vicarage

NYM/2021/0046/CLLB

