

**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 Jake Hunt  
Abbey Inn  
Byland Abbey  
YO61 4BD

The above named Authority being the Planning Authority for the purposes of your application validated 23 March 2021, in respect of proposed development for the purposes of **use of land for the siting of 12 no. fixed bell tents for holiday letting purposes at Abbey Inn, Byland Abbey**, has considered your application and has **granted** permission for the proposed development subject to the following:

**Condition(s):**

1. The permission hereby granted is valid only for three years from the date of this permission and the use shall be discontinued and the site restored to its former condition before this consent expires.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved 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 the Abbey Inn, Byland Abbey and shall not be sold or leased off from this public house 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 bell tents 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.
6. The consent hereby granted relates to the use of land for no more than 12 bell tents only between 1st March to 10th November in any one calendar year. The bell tents shall not be pitched on site during the closed season, and no other tents or structures shall be on site at any time.
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.

Continued/Conditions



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8. If the use of the bell tents 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.
9. Prior to the siting of the bell tents hereby approved, details of their dimensions and external appearance shall be submitted to and approved in writing by the Local Planning Authority.

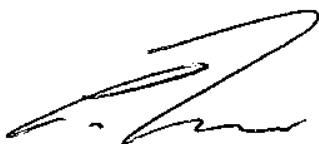
**Informative(s)**

- 1 The applicant is advised that measures should be in place to discourage campers (and dogs) from accessing the beck itself whilst using the site, to prevent the risk of disturbing sediment and causing pollution of the watercourse.
- 2 The applicant is recommended to agree a flood warning and evacuation plan with the Local Authority's Emergency Planning Team. If not already registered the applicants should phone the Floodline on 0345 9881188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>

**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/Reasons for Conditions



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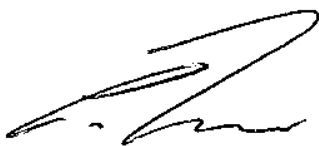
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7. In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
8. 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.
9. In the interests of the visual amenities of the locality and to comply with the provisions of Strategic Policy A of the North York Moors Local Plan 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 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.



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Director of Planning

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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 an application for planning permission or grant it subject to conditions;
  - refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
  - refuse an application for any approval required under a development order
- 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](http://www.planningportal.gov.uk/planning/appeals)**

### Notes

- Please note, only the applicant possesses the right of appeal.
- 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.
- 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.
- 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.
- 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.