

**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 N and Mrs E Pullin  
c/o Cheryl Ward Planning  
24 Westfield Mews  
Kirkbymoorside  
York  
YO62 6BA

The above named Authority being the Planning Authority for the purposes of your application validated 06 July 2021, in respect of **alterations to and change of use of public house to form 2 no. principal residence dwellings with associated parking and amenity space at Wheatsheaf Inn, High Street, Egton** has considered your said application and has **refused** permission for the proposed development for the following reason(s):

- 1 In the opinion of the Local Planning Authority, the change of use of the public house to another use would result in the loss of a community and tourist facility and reduce choice when seeking to use a drinking establishment or pub restaurant facility within the locality. It is considered that irrespective of the existence of a competitor Public House, the loss of a community and tourism facility would have a detrimental effect upon the long-term wellbeing of the community and the local economy. The proposal is therefore contrary to Core Policy I and Policy UE3 of the North York Moors Local Development Plan which seeks to resist the loss of such community and tourism facilities unless it can be demonstrated that it is no longer suitable for a community or tourism use.
- 2 The information submitted does not demonstrate, to the satisfaction of the Local Planning Authority, that the property has been appropriately marketed to demonstrate that a commercial proposition is no longer viable or that no licensee could reasonably be expected to make a living from the enterprise. The proposal is therefore considered to be contrary to Core Policy I of the NYM Local Development Plan which resists the loss of such facilities unless it can be demonstrated that it is no longer viable for a community use.

**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 concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.



Mr C M France  
Director of Planning

Date 31 August 2021

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

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**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 in accordance with Section 78 of the Town and Country Planning Act 1990 within 12 weeks 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.

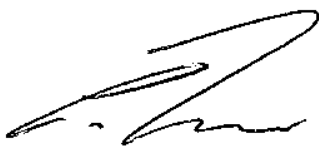
- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable 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](http://www.planningportal.gov.uk/planning/appeals)

**Notes**

- Please note, only the applicant possesses the right of appeal.
- If this is a decision on a planning application relating to the same or substantially the



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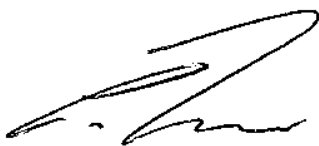
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same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.

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.



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