

**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 Paul Stevenson
c/o Strutt & Parker
Thornfield Business Park
Standard Way
Northallerton
DL6 2XQ

The above named Authority being the Planning Authority for the purposes of your application validated 15 January 2021, in respect of proposed development for the purposes of **re-sheeting, re-cladding, installation of roller shutter door and enlargement of second access to agricultural building (Building 1), erection of replacement building to form stables (Building 2) together with removal of greenhouse and erection of general purpose agricultural building (Building 3) (part retrospective)** at **Land south of Wardles Farm, Egton** has considered your application and has **granted** permission for the proposed development subject to the following:

Condition(s):

1. The premises shall not be used other than as :
Building 1 as an agricultural workshop/agricultural store/livestock housing in connection with the agricultural use at the site and ancillary hobby use,
Building 2 for agricultural use or use as domestic horse/pony stabling,
Building 3 for agricultural use or for use as a non-commercial hedgehog rescue sanctuary,
and none shall be used for any other purpose (including any other purpose in Class (B2) of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order). For the avoidance of doubt this permission does not permit any of the buildings to be used as a commercial agricultural equipment and/or vehicle/tractor repair and sales business.
2. Appropriate sound attenuation measures or curtailing of noisy operations shall be undertaken such that during the hours 20.00 hrs until 07.00 hrs on the following day, noise levels at the site (LAeq(1hour)), from the any mechanical or electrical plant or equipment or testing of vehicle/equipment engines/motors , shall not exceed the background noise level (LA(90) (1 hour)) by more than 10 dB(a) at any time measured at any external elevations of any neighbouring residential property in the locality.

Continued/Condition(s)



Mr C M France
Director of Planning

Date 13 December 2021

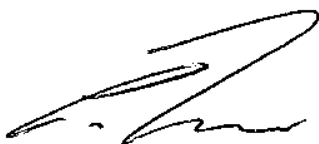
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3. All/any external lighting attached to the three buildings shall be positioned to point downwards and fitted with timers (so as not to be in constant use from 20.00 - 07.00) or Motion sensors within 1 month of the date of this permission to avoid undue light pollution. All internal lighting in the buildings shall be switched off when the buildings are not in use.
4. Within 6 months of the date of this permission a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for shrub based screening on land between building 1 and the adjacent residential properties that will not exceed 3m in height together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
5. No burning of manure or stable sweepings shall take place anywhere on the site and any such materials stored on the site shall be moved and the area and site completely cleared once a month.
6. No burning of manure or stable sweepings shall take place anywhere on the site and full details of the proposed method of storage and disposal of waste from this stable including the location of any storage and the frequency of disposal off the site shall be submitted to the Local Planning Authority within one month of the date of this consent. The method of waste disposal shall accord with the details so approved and there shall be no variation unless otherwise agreed with the Local Planning Authority.

Reason(s) for Condition(s)

1. The site lies in a semi residential location where noise and disturbance from the activities inseparable from commercial workshop could adversely affect the amenities of local residents and to accord with local plan Strategic Policy C.
 2. The site lies in a semi residential location where noise and disturbance from the activities inseparable from commercial workshop could adversely affect the amenities of local residents and to accord with local plan Strategic Policy C.
 3. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
 4. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
- Continued/Reason(s) for Condition(s)



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Director of Planning

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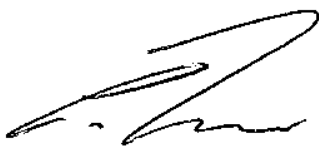
**Town and Country Planning Act 1990
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- 5 & 6. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.

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 13 December 2021

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:
 - a) refuse an application for planning permission or grant it subject to conditions;
 - b) 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
 - c) 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

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.