

Cheryl Ward Planning  
via email

Your ref:

Our ref: NYM/2021/0940/CVC

Date: 27 January 2022

Dear Mrs Ward

**Application for verification check of conditions 6, 12, 13, 14, 16, 17 and 18 of planning approval NYM2020/0935/FL at Hogarth Hall, Boggle Hole Road, Fylingdales**

Thank you for your submission of details reserved by condition (CVC) application validated 08 December 2021, regarding the above.

I am writing, on behalf of the National Park Authority, to confirm approval and refusal of the following details:

**Condition 6:** External lighting – **NOT DISCHARGED** – This is because there are concerns regarding the proposed extensive installations of ‘decorative’ lighting in intrinsically dark rural settings. Lighting should serve a purpose for reasons of safety or operational need and not for decorative purposes. Looking at the lodges and road layout it’s perfectly reasonable for example to light access routes to the lodges, to a doorway and perhaps to an outside seating area. However, lighting to and around each lodge in this case is considered to be excessive. There also seem to be some inconsistencies around lighting at different lodges.

In summary, it would be considered reasonable to have a parking space light, a doorway access light and an outdoor seating area light (if seating areas exist) but beyond that a particular need would need to be demonstrated.

It is important to ensure that the unique tranquil character of the North York Moors is preserved for residents and visitors alike as it is often the reason people come to the area in the first place. In fact a Dark Skies Friendly site can receive significant additional business especially during the darker shoulder season by marketing those credentials.

A reduced lighting scheme needs to be considered, with details of the actual lights to be installed, rather than just the type, to ensure the specification meets the Authorities Dark Skies requirements.

In particular we will need to understand the following:

- What controls are in place to ensure the lights are not all on permanently through the night
- That the colour temperature of the lights is a maximum of 3000k and preferably 2700k
- What the mounting heights of the lights and bollards will be
- What the proposed lumen output of the lights will be

In the first instance an example of a heritage style downlight, which may be suitable for the lodges, is shown on the attached draft document (see Dark Sky A and Dark Sky B). More

Working together to sustain the landscape and life of the  
North York Moors for both present and future generations to enjoy

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[planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk) [northyorkmoors.org.uk](http://northyorkmoors.org.uk)



contemporary examples are also included. An example of down lighting suitable for way marking, steps or parking areas is the Severus Landscape indirect which can be mounted into walls or wooden posts. Anything with a similar specification (included fully shielded bollards) would be suitable.

**Condition 12:** Tree protection – **NOT DISCHARGED** - No plan has been supplied with a plan showing the root protection areas and any protection measures. The aerial shows trees within 15m of the structures and the proposed drainage run is closer still – It's important to establish that the development won't affect the trees – especially those towards the southern and eastern boundary. The applicant confirmed that trees would be protected in line with BS 5837 – hence the condition to provide the supporting detail

**Condition 13:** Landscaping plan – **NOT DISCHARGED** - Insufficient detail provided particularly in respect of the current condition and ongoing management of the woodland to the south and east. It would be helpful to know what their current species and age range is, and if they are grazed or not.

Ash is included in the tree planting list – it is not permissible to plant ash due to the restrictions in place for managing ash dieback disease

**Condition 14:** Hard surfacing details - **Discharged**

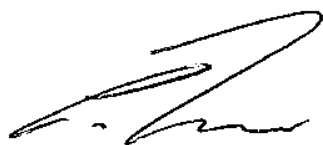
**Condition 16:** Drainage plan – **Discharged** – Subject to no conflict with conditions 12 and 13 above.

**Condition 17:** Mitigation in accordance with Ecological Impact Assessment - **Discharged**

**Condition 18:** No discharge required.

I trust that the above advice is of assistance but if you have any further queries, please do not hesitate to contact Mrs Hilary Saunders again on the above number.

Yours faithfully



Mr C M France  
Director of Planning

Continued/Lighting Guide attached

### **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/Listed Building consent 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/Listed Building consent 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 (8 weeks in the case of a householder application) or in the case of a Listed Building consent 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. 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/Listed Building consent 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 planning permission or Listed Building consent 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/ Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (3) In relation to Listed Buildings 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.
- (4) In relation to Listed Buildings 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)**

#### **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.

North York Moors National Park. Help protect our Dark Skies (draft)  
Dark Skies Friendly Lighting Advice

This document is intended as a brief summary to help readers understand the impact of poor lighting and to offer examples of lighting to reduce nuisance and light pollution. It contains examples of lighting considered to be Dark Skies Friendly and suitable for use in reducing light spill/nuisance. For more advice see the North York Moors National Park [Dark Skies Friendly Lighting page](#).

Additional documents offering more information on planning guidance and a more detailed document with more technical lighting details will be made available by Winter 21/22.

For visitors or residents in a beautiful protected landscape such as The North York Moors National Park, our Dark Skies vistas and night time habitats are every bit as important as those we see during the day. The benefits using appropriate, well controlled LED are numerous and widespread and should appeal in some form to everybody. Sensitively installed and adjusted lighting helps protect wildlife habitat, promotes stargazing, helps the local economy, improves tranquility by reducing nuisance and saves money with reduced carbon emissions.



*Poorly adjusted lights cause glare and nuisance which reduces safety, impacts wildlife and pollutes dark skies*



*Shielded warm white lights with appropriate controls provide directed light only where and when it is needed.*



Basic advice for most lighting situations is simple and should not be considered as only appropriate in protected landscapes. Even in towns and cities, we should consider lighting as a commodity (i.e. energy) not to be wasted and as pollution or potential nuisance to be reduced wherever possible. In fact light pollution is one of the easiest forms to reduce and prevent. In protecting Dark Skies there's no need to remove all lighting (we all need a certain amount of light at night) but we should encourage the sensitive use of appropriate lighting.

In most scenarios the advice is simple

Only light what is needed – don't waste light or cause nuisance, use shielded down lights

Only light when it is needed – use sensors or timers and don't have lights on all night

Only light at a suitable level – 500 lumens is enough for most residential uses

Use the correct colour temperature – use warm white light of 2700k (or 3000k maximum)





For more advice see the North York Moors National Park [Dark Skies Friendly Lighting page](#).





Important note: Remember that planning guidance should always be sought for lighting as part of new building/property development applications within the National Park. Specifying the correct lighting from the beginning will make the process easier.

The following section shows the type of lights that are considered suitable for meeting the guidance criteria listed above. Where links are included it should not be considered an endorsement by the National Park Authority of any particular light, manufacturer or supplier but as a guide as to the type of lighting that is considered acceptable. Some lights come with built in PIR sensors but where they don't a separate one should be installed (or a timer switch) to ensure lights are only on when needed. Remember that thieves need light to operate and lights that are on all night in dark landscapes can alert them to your presence. Sensors will warn you of an unplanned/unwanted presence.

**Important note: Always check that light specifications meet your needs and where public health and safety is important you may want to seek the advice of a qualified lighting engineer. Always ensure lights are installed by a fully qualified electrician.**





	<p>DARKSKY A 6 sided 8W. 400 lumens. 3000k</p> <p>Available from Ark Lighting <a href="https://arklighting.co/">https://arklighting.co/</a></p>
	<p>DARKSKY B 6 sided 8W. 419 lumens. 3000k</p> <p>Available from Ark Lighting <a href="https://arklighting.co/">https://arklighting.co/</a></p>
	<p>Search: Nordlux Scorpius wall light Approx. cost £25-£35. (09/03/2021)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>





	<p>Search: Nordlux Tin wall light (downlight version only) Approx. cost £20-£25. (09/03/2021)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p>Search Nordlux Arki wall light Approx. cost £55-£75. (09/03/2021)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p>Search: SEVERUS LANDSCAPE INDIRECT IP65 2W WARM WHITE Approx. cost £20 (11 Mar 2021)</p>
<p>Further examples of Dark Sky Friendly lighting available commercially with links.</p>	
	<p><a href="https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7264-tivoli-1-light-outdoor-wall-light-black-ip65-p26523">https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7264-tivoli-1-light-outdoor-wall-light-black-ip65-p26523</a></p> <p>Search: Astro Tivoli 1 Light Outdoor Wall Light</p> <p>Approx. cost £65 (16/04/2021)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>

	<p><a href="https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7980-stornoway-coastal-outdoor-wall-light-ip33-antique-brass-p31042">https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7980-stornoway-coastal-outdoor-wall-light-ip33-antique-brass-p31042</a></p> <p>Search: Astro Stornoway Coastal Outdoor Wall Light</p> <p>Approx. cost £200 (16/03/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p><a href="https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7126-chios-80-1-light-outdoor-wall-light-ip44-black-p24620">https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7126-chios-80-1-light-outdoor-wall-light-ip44-black-p24620</a></p> <p>Search: Astro Chios 80 1 Light Outdoor Wall Light</p> <p>Approx. cost £30 (16/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p><a href="https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-8565-mast-light-1-light-outdoor-wall-light-ip65-black-1317011-p26611">https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-8565-mast-light-1-light-outdoor-wall-light-ip65-black-1317011-p26611</a></p> <p>Search: Astro Mast Light 1 Light Outdoor Wall Light</p> <p>Approx. cost £40 (16/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p><a href="https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7201-elis-single-outdoor-led-wall-light-black-ip54-p26519">https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7201-elis-single-outdoor-led-wall-light-black-ip54-p26519</a></p> <p>Search: Astro Elis Outdoor Wall Light</p> <p>Approx. cost £65 (16/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>



	<p><a href="https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7370-orpheus-led-outdoor-wall-light-white-ip65-p26669">https://www.oceanlighting.co.uk/garden-lights-c96/wall-lights-c101/astro-7370-orpheus-led-outdoor-wall-light-white-ip65-p26669</a></p> <p>Search: Astro Orpheus LED Outdoor Wall Light White IP65</p> <p>Approx. cost £60 (16/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p><a href="https://www.lyco.co.uk/torino-wall-washer-black.html?qclid=Cj0KCCQiwzZj2BRDVARIsABs3l9K3kOYOXna2Cl0HE1gB8BeYabHiHuBbJTz5pJWmOqc4Mk_KLM-aj58aAvUFEALw_wcB">https://www.lyco.co.uk/torino-wall-washer-black.html?qclid=Cj0KCCQiwzZj2BRDVARIsABs3l9K3kOYOXna2Cl0HE1gB8BeYabHiHuBbJTz5pJWmOqc4Mk_KLM-aj58aAvUFEALw_wcB</a></p> <p>Search: Konstsmide Torino Outdoor Wall</p> <p>Approx. cost £24 (16/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p>Search: Luceco LED wedge light</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p> <p>Approx. cost £20 (16/04/21)</p>
	<p>Search: Phillips Virga light</p> <p>Approx. cost £32 (16/04/21)</p>

	<p><a href="https://www.electricaldirect.co.uk/product/forum-neso-led-single-downlight-light-black-300634?vat=1&amp;shopping=true&amp;qclid=Cj0KCQjwzZi2BRDVARIsABs3j9JnyncPoiOMFM3HVAjd8g-GnUYsUNIsZX5IX-024lpFC4wrdon59dUaAsX5EALw_wcB">https://www.electricaldirect.co.uk/product/forum-neso-led-single-downlight-light-black-300634?vat=1&amp;shopping=true&amp;qclid=Cj0KCQjwzZi2BRDVARIsABs3j9JnyncPoiOMFM3HVAjd8g-GnUYsUNIsZX5IX-024lpFC4wrdon59dUaAsX5EALw_wcB</a></p> <p>Search: Forum Neso Single Downlight Light</p> <p>Approx. cost £10 (16/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p>Search: LUCIDE ZORA ROUND LED OUTDOOR WALL LIGHT</p> <p>Approx. cost £24 (16/04/21)</p> <p>Downlight version only. Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p>Search: LUCIDE ZORA SQUARE LED OUTDOOR WALL LIGHT</p> <p>Approx. cost £24 (16/04/21)</p> <p>Downlight version only. Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p><a href="https://www.lighting-direct.co.uk/torino-wall-washer-black.html">https://www.lighting-direct.co.uk/torino-wall-washer-black.html</a></p> <p>Search: KONSTSMIDE TORINO LARGE OUTDOOR WALL LIGHT</p> <p>Approx. cost £30 (21/04/21). Also available in galvanised finish</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>

	<p>Search: Lucide Nando Path Light</p> <p>Approx. cost £80 (21/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p><a href="https://www.lighting-direct.co.uk/torino-large-wall-washer-galvanised-steel.html">https://www.lighting-direct.co.uk/torino-large-wall-washer-galvanised-steel.html</a></p> <p>Search: KONSTSMIDE TORINO LARGE OUTDOOR WALL LIGHT</p> <p>Approx. cost £30 (21/04/21). Also available in galvanised finish. Also available in black</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p>Search: Astro Porto 1 Light Outdoor Wall Light</p> <p>Approx. cost: £28 (21/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>
	<p>Search: Astro Dartmouth Single 1 Light Outdoor Wall Light</p> <p>Approx. cost: £28 (21/04/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p>

	<p>Boathouse Outdoor Wall Light In Matt Black by Jim Lawrence</p> <p>Approx. cost £150 (23/08/21)</p> <p>Must be fitted with warm white 2700k bulb no greater than 500 lumens. Recommend LED for lower running costs.</p> <p><a href="http://jim-lawrence.co.uk">Boathouse Wall Light   Outdoor   Garden Lighting   Jim Lawrence (jim-lawrence.co.uk)</a></p>
	<p>Search Phillips Ledinaire 10W 3000k warm white</p> <p>10W 1000 lumens 3000k.</p> <p>Approx. cost £14-£20 (21/04/21)</p> <p>Note: Must be mounted flat (NOT as pictured) to prevent upward light spill or nuisance to neighbours</p>