

**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: Kev and Tish Riley Evans  
c/o A L Turner + Associates  
fao: Tony Turner  
1 Loring Road  
Ravenscar  
Scarborough  
YO13 0LY

The above named Authority being the Planning Authority for the purposes of your application validated 30 November 2021, in respect of proposed development for the purposes of **change of use of land to all weather surfaced manege/turn out area together with erection of stable block** at **The Oaken Barn, Bell Hill Farm, Staintondale Road, Ravenscar** has considered your application and has **granted** permission for the proposed development subject to the following:

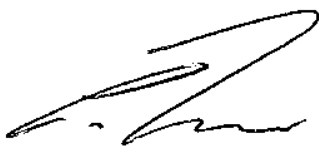
**Condition(s):**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>
Location Plan	N/A	14 Dec 2021
Site Layout/Block Plan/ Tree Constraints Plan	2472 : 2B	20 Jan 2022
Proposed Elevations & Plan	2472 : 1	30 Nov 2021

- or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. The development hereby permitted shall be used for domestic stabling incidental to the occupation of the main dwelling known as Oaken Barn and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation and any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
  4. There shall be no commercial use of the stable hereby permitted and it shall be used only for the horses kept for hobby/domestic purposes ancillary to the occupation of the property known as Oaken Barn and for no other purpose unless a separate grant of planning permission has first been obtained from the Local Planning Authority.

Continued/Condition(s)



Mr C M France  
Director of Planning

Date 03 March 2022

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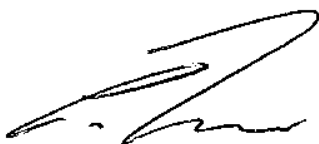
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5. No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Night Skies compliant, fitted with a warm white bulb of 3000k or less and no more than 500 lumens. All lighting fixtures should be shielded/fully cut off to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.
6. 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.
7. Prior to first being brought into use, the stables hereby permitted shall be fitted with guttering to capture rainwater and directed to collection or a soakaway in order to reduce water run-off to surrounding areas. The guttering shall be so maintained thereafter.
8. The external timber cladding of the building hereby approved shall be either allowed to weather naturally or stained dark brown and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. The soft landscape works comprised in the approved details shall be carried out no later than the first planting season following the building first being brought into use, 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. The hedgerow detailed on drawing number 2472:2B shall consist of a mix of six or more native species, including at least one climbing/scrambling plant (such as honeysuckle, dog rose, ivy or black bryony). The hedge should be planted at 6 stems per metre in a staggered double row.
10. The area of grassland excluded from grazing by the new hedgerow as detailed on drawing number 2472:2B must not be used for the storage of manure, feed, silage, hay, or any other substance that may increase the nutrient level of the ground in order to enable a diverse sward to develop. The area would benefit from being cut periodically, out with of the main flowering season (April to July) with cuttings removed from the area to enable the nutrient level to drop and herbaceous species to flourish thus maintaining diversity.

**Reason(s) for Condition(s)**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.

Continued/Reason(s) for Condition(s)



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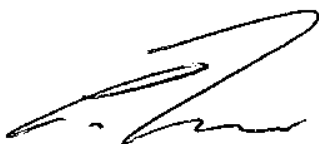
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2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3. In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with Strategic Policies B and M of the North York Moors Local Plan and would be likely to adversely affect the amenities of existing and future occupiers of the site.
4. In order to comply with Policy CO20 of the North York Moors Local Plan which seeks to ensure that proposals for stables are well related to a domestic curtilage and to enable the Local Planning Authority to control any commercial use of the stables which could give rise to conditions detrimental to the special qualities of the National Park and the residential amenities of adjoining occupiers which would be contrary to Strategic Policy A of the Local Plan.
5. In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
6. In order to comply with the provisions of Strategic Policy A 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.
7. To avoid pollution of watercourses and to comply with the provisions of Policy ENV7 of the North York Moors Local Plan, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
8. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
9. In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan 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.
10. In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

Continued/Explanation of how the Authority has  
Worked Positively with the Applicant/Agent



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Director of Planning

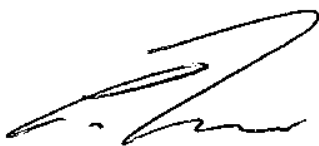
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**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Mr C M France  
Director of Planning

Date 03 March 2022

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](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.