

**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: Messrs Martin & Aidan Foord
Wild Slack Farm
Lawns gate Farm
Lealholm
Whitby
YO21 2AW

The above named Authority being the Planning Authority for the purposes of your application validated 30 May 2022, in respect of proposed development for the purposes of **use of land for the siting of a yurt and gypsy wagon with ancillary structures and erection of two cabins with decking for holiday letting purposes (retrospective)** at **Wild Slack Farm, West Mire Howe and Lawns gate Farm, Lealholm** has considered your application and has **granted** permission for the proposed development subject to the following:

Condition(s):

1. 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.
2. The units 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.
3. The Game Larder, Yurt and Gypsy Wagon are to be managed by the occupants of Lawns gate Farm, Lealholm and are to remain as a single planning unit with Lawns gate Farm unless otherwise agreed in writing by the Local Planning Authority.
4. The Crumbleclive Cabin is to be managed by Wild Slack Farm and is to remain as a single planning unit with Wild Slack Farm, unless otherwise agreed in writing by the Local Planning Authority.
5. All parking for The Game Larder, Yurt and Gypsy Wagon is to be accommodated for at Lawns gate Farm and all parking for The Crumbleclive Cabin is to be accommodated for at Wild Slack Farm.
6. 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.
7. If the use of any of the units hereby approved permanently ceases, the unit shall be removed from the site within 12 months of that cessation and the site previously occupied by that unit shall, as far as practical, be restored to its condition before development took place.

Continued/Reason(s) for Condition(s)



Mr C M France
Director of Planning

Date 22 July 2022

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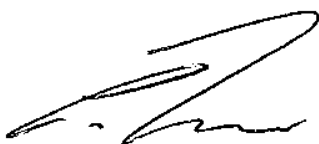
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Reason(s) for Condition(s)

1. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
2. The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted in accordance with Policy UE4 and to ensure that a traditional rural building is conserved in line with Policy CO12
3. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Strategic Policy M of the North York Moors Local Plan.
4. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Strategic Policy M of the North York Moors Local Plan.
5. In accordance with Policy CO2 of the North York Moors Local Plan and in the interests of highway safety
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. In order to return the land to its former condition and comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the landscape 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.



Mr C M France
Director of Planning

Date 22 July 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:
- 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

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.