

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 & Mrs Butterfield
c/o Edwardson Associates
fao: Melanie Edwardson
10 Paddock House
Middle Street South
Driffield
YO25 6PT

The above named Authority being the Planning Authority for the purposes of your application validated 07 September 2022, in respect of proposed development for the purposes of **use of land for an additional 12 touring caravan pitches, siting of 10 camping pods and 17 static caravans (net reduction to numbers approved under planning application NYM/2011/0723/FL), construction of two storey extension to Scotts Fir Cottage, erection of agricultural storage building and installation of ground mounted solar panels at Grouse Hill Caravan Park, Blacksmith Hill, Fylingdales** has considered your application and has **granted** permission for the proposed development subject to the following:

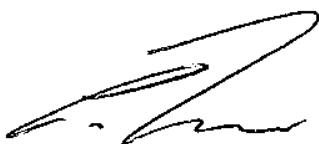
Condition(s):

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:

Document Description	Document No.	Date Received
Location Plan	001	25/08/2022
Overview site plan - as proposed	101	25/08/2022
Site plan as proposed: Caravans, tourers, pods & solar panels.	102	25/08/2022
Indicative pod design	103	25/08/2022
Caravan -as proposed (Indicative design)	104	25/08/2022
Scotts Fir Cottage and Shed: Site plan as proposed	105	25/08/2022
Scotts Fir Cottage: Floor Plans, Sections, Elevations-as proposed	106	25/08/2022
Shed: Floor plans, sections, elevations - as proposed	107	25/11/2022

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

Continued/Condition(s)



Mr C M France
Director of Planning

Date 05 December 2022

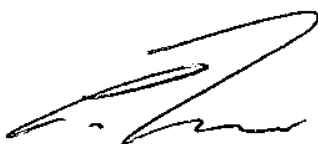
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3. The total combined number of static caravans, camping pods, and seasonal touring caravan/tent pitches on the site outlined in red on the submitted plans (Drawing no. 102) shall not exceed 344 with no more than 28 static caravans and 10 camping pods, without a further grant of planning consent.
4. The static caravans, touring caravans and camping pods hereby permitted shall be used only for holiday accommodation and shall not be used as the main dwelling of any of the occupiers. The caravans/pods shall not be occupied during the month of February and the site operator shall maintain a register giving names and home addresses of any person who occupies any one of these static units for more than 6 calendar months in any year. That register shall be made available to the Local Planning Authority for inspection on request during normal office hours.
5. No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be of a style and luminance which minimises glare and light pollution. All bulbs should be shielded 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. The external surface of the roof of the static caravans and agricultural storage building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity.
7. If the use of the solar panels, camping pods, static caravans or agricultural building hereby approved permanently ceases they shall be removed from the site within three months of that cessation and the land shall, as far as practical, be restored to its condition before development took place.
8. If the use of the solar panels, camping pods, static caravans or agricultural building hereby approved permanently ceases they shall be removed from the site within three months of that cessation and the land shall, as far as practical, be restored to its condition before development took place.
9. All new stonework and roofing tiles used in the proposed extension to the dwelling hereby permitted shall match those of the existing dwelling, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.
10. All new windows in the extension to the dwelling hereby permitted shall match those of the existing dwelling in terms of appearance, materials, section, dimensions, glazing bar pattern, method of opening, external finish, reveals cills and lintels and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Continued/Condition(s)



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11. All hard and soft landscape works comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Informative(s)

1. It is the applicant's responsibility to ensure that the existing sewage treatment plant is capable of treating any additional foul input as a result of the development, and that conditions of the permit continue to be complied with, to ensure that risks to potable groundwater resources continue to be safely managed.

The Environment Agency would expect to be re-consulted if a new package treatment plant is required or the existing permit requires varying. The applicant is advised to contact the Environment Agency at PSC-WaterQuality@environment-agency.gov.uk to discuss likely issues.

Additional 'Environmental Permitting Guidance' can be found at: [Discharges to surface water and groundwater: environmental permits - GOV.UK](#).

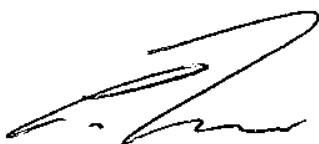
2. The applicant has indicated that rainwater from the roofs of the new/extended structures will be discharged to ground via a soakaway. The Environment Agency would like to refer the applicant to their groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from [gov.uk](#). This publication sets out their position for a wide range of activities and developments, including the discharge of clean roof water to ground (position G12).

The applicant should ensure that the requirements of the position G12 are met and that any new soakaway will be; no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway, and not less than 50 metres from the nearest potable water supply (note that the site is served by a potable groundwater abstraction). Similarly, we would expect to be re-consulted if surface water other than that from roofs will be discharged to the soakaway.

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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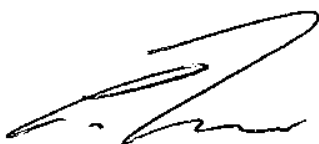
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2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3. In order to enable the Local Planning Authority to retain control over activity levels and the scale of development and to ensure compliance with Strategic Policy A of the North York Moors Local Plan, which seeks to conserve and enhance the special qualities of the National Park.
4. 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 to provide facilities for visitors in line with Policy UE2 of the Local Plan.
5. In order to comply with the provisions of Strategic Policy A and ENV4 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 or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
- 6 - 10. 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.
11. 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.

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 05 December 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

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.