

**Town and Country Planning Act 1990: Sections 191 and 192
(as amended by Section 10 of The Planning and Compensation Act 1991)**

North York Moors National Park Authority

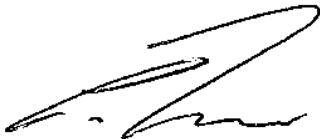
Town and Country Planning (Development Management Procedure) Order 2015:

Certificate of Lawful Use or Development

To Mr Lisa Trotter
c/o Barrs & Co Chartered Surveyors
fao: Mr Rob Barrs
Barrs & Co Chartered Surveyors
One Embankment
Neville Street
Leeds
LS1 4DW

The above named Authority being the Planning Authority has given consideration to your application validated 25 October 2022, relating to the certificate of lawfulness for the use of land as a holiday park comprising six static caravans in excess of ten years at Haggit Howe Farm, Hawsker and has refused to issue a certificate for the following reason(s):

1. From the available evidence and applying a balance of probabilities test, for the period from 1 November 2018 (and most probably prior to that date) until the date of application of 25 October 2022 the claimed caravan use has not occurred or existed, following the sale of the site and separation from the earlier planning unit, and the site has during that period been used as bare land (grassland). Therefore, any earlier period of immunity that may have accrued for the site has been lost and there is no reasonable scope for the Authority to modify the description of the application. Therefore, the present application is refused.



Mr C M France
Director of Planning

Date 15 December 2022

Notes

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse an application for a Certificate of Lawful Use or development or to refuse it in part they may appeal to the Secretary of State under Section 195 of the Town and Country Planning Act 1990.
2. Notice of appeal in writing must be given to the Secretary of State within six months of the date of this notice of decision, or within such longer period as the Secretary of State may allow. Copies of the following documents must be furnished to the Secretary of State:-
 - (a) The application made to the Local Planning Authority.
 - (b) All relevant plans, drawings, statements and particulars submitted to them (including the Certificate as to ownership or notice to owners etc).
 - (c) The notice of decision.
 - (d) All other relevant documents and correspondence with the Local Planning Authority.

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

3. Please note, only the applicant possesses the Right of Appeal.