

The Planning Inspectorate

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT APPEAL FORM (Online Version)

Appeal Reference: APP/W9500/X/23/3321210

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	<input type="text" value="Ms Lisa Trotter"/>
Address	<input type="text" value="Highgate Howe Holiday Home Park
Saltwick
Whitby
YO22 4JY"/>
Phone number	<input type="text"/>
Email	<input type="text"/>
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name	<input type="text" value="mr rob Barrs"/>
Company/Group Name	<input type="text" value="Barrs & Co Chartered Surveyors"/>
Address	<input type="text" value="Prospect House
32 Sovereign Street
LEEDS
LS1 4BJ"/>
Phone number	<input type="text"/>
Email	<input type="text"/>
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	<input type="text" value="North York Moors National Park Authority"/>
LPA reference number (if applicable)	<input type="text" value="NYM/2022/07800"/>

Date of the application

Did the LPA issue a decision? Yes No

Date of LPA's decision

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes No

Does the appeal relate to an existing property? Yes No

Address

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes No

E. DETAILS OF THE APPEAL

Please give a precise description of the proposed or existing use, operation or activity as outlined in the application in respect of which a certificate is sought.

Select the section under which the application was made:

Section 191

Section 192

Section 26H

Please state the actual use of the site at the time of application to the LPA. (if not in use, write "nil" and state last known use).

Is there an effective enforcement notice on the site? Yes No

F. REASON FOR THE APPEAL

1. Refused/refused in part to grant a certificate of lawful use or development.

2. Failed to give notice of their decision within the appropriate period on an application for a certificate of lawful use or development.

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes No

(b) Is it essential for the Inspector to enter the site to check measurements or Yes No

other relevant facts?

2. Hearing

3. Inquiry

H. APPEAL STATEMENT

The statement is set out in

see 'Appeal Documents' section

I. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

No

J. SUPPORTING DOCUMENTS

01. The application made to the LPA.

02. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. Please number them clearly and list the numbers here or on a separate sheet.

02. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

03. The LPA's decision (if any).

04. All other relevant correspondence with the LPA.

05. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.

K. CHECK SIGN AND DATE

(All supporting documents must be received by us within the 8 week time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature

mr rob Barrs

Date

28/04/2023 11:37:08

Name

mr rob Barrs

On behalf of

Ms Lisa Trotter

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

L. NOW SEND**Send a copy to the LPA**

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) not previously sent as part of the application to the LPA.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

M. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@planninginspectorate.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section:	APPEAL STATEMENT
Document Description:	The Appeal statement.
File name:	07800.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. The application made to the LPA.
File name:	ApplicationForm.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	Haggit Howe Location Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02.b. Copies of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	List of Supporting Documents .pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. The LPA's decision
File name:	0780.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. All other relevant correspondence with the LPA.
File name:	RCB3 NYM letter 15.10.2020.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	Haggit Howe Location Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	RCB2 Haggitt Howe Plan.pdf
Completed by	MR ROB BARRS

Date

28/04/2023 11:37:08



North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Telephone: 01439 772700
Email: planning@northyorkmoors.org.uk
Website: www.northyorkmoors.org.uk

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity, including those in breach of a planning condition

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Existing caravan site

Applicant Details

Name/Company

Title

Mr

First name

Lisa

Surname

Trotter

Company Name

Address

Address line 1

Highgate Howe Holiday Home Park

Address line 2

Saltwick

Address line 3

Town/City

Whitby

Country

Postcode

YO22 4JY

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

Country

Postcode

Contact Details

Primary number

Secondary number

Fax number

Email address

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- An existing use
 Existing building works
 An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. [View more details on Use Classes.](#)

Other (please specify)

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- The use began more than 10 years before the date of this application
 The use, building works or activity in breach of condition began more than 10 years before the date of this application
 The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
 The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
 The use as a single dwelling house began more than four years before the date of this application
 Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- Yes
 No

The use of the subject land to site holiday static caravans has existed for many decades. We refer to the extensive written and photographic evidence provided. We also refer to our supporting statement which sets out full details of the land use, its history and the full grounds for which this CLEUD is sought.

Haggit Howe Caravan Site has been an operating caravan park since the 1960's. It is most likely that the original planning consents were issued by Whitby Rural District Council and that details of these consents have been lost under Local Government reorganisation, or that planning consent was deemed by virtue of the issue of a Site Licence under the Caravan Sites and Control of Development Act 1960.

Haggit Howe has operated under Caravan Park Site Licences issued by Scarborough BC and to accompany this application we have provided Site Licences going back to 1980.

We have provided statements showing the caravan park was used for the siting of 6 holiday static caravans from the 1960's up to 2017. There was never any enforcement action taken against the park and there was never any intention to abandon the use of the land for the siting of caravans.

The Ocado case (Ocado Retail Ltd vs London Borough of Islington - High Court 2021) referred to in our statement clearly establishes that section 171B of the TCPA 1990 lays down the time limits for taking enforcement action in respect of a breach of planning control, after which time if no enforcement action has been commenced no enforcement action may be taken in respect of that breach.

In view of the above the position is either:

- a. Planning permission for 6 pitches for the stationing of holiday static caravans at Haggit Howe was given historically which is extant, hence the issue of Site Licences, or
- b. The holiday static caravans at Haggit Howe were sited in breach of planning control, but as they have been in place for decades and no enforcement action was ever taken within the time limit outlined in the TCPA 1990 then no enforcement action can be taken now.

In either of the above situations the siting of 6 holiday static caravans on the pitches at Haggit Howe is lawful and the LPA should issue a CLEUD.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

01-04-1960

In the case of an existing use or activity in breach of conditions has there been any interruption?

- Yes
 No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

- Yes
 No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

- Yes
 No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

Interest in the Land

Please state the applicant's interest in the land

- Owner
 Lessee
 Occupier
 Other

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff**
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes
 No

Declaration

I / We hereby apply for Lawful development: Existing use as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

rob barrs

Date

25/10/2022

Haggitt Howe Caravan Site, Saltwick, Whitby, North Yorkshire, YO22 4JY



Site Plan shows area bounded by: 491773.05, 510146.87 491973.05, 510346.87 (at a scale of 1:1250), OSGridRef: NZ91871024. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 12th Oct 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00566120-184572

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Application locked

Your application has been submitted and is with the Local Planning Authority. You can make an amendment to the application if it has not already been determined or withdrawn. This will create a new version of the application which will need to be resubmitted.

Haggit Howe Cleud

Supporting documents (19 added)

 [View as list](#)


Minimum requirements

Add plans and documents to your application to complete the national and local level requirements.

Location plan

Document type:

Location plan

File:  Haggit Howe Caravan Site Plan Scale 1 1250.pdf

Size: 317.04 KB

Uploaded: 25/10/2022 13:09

Description:

Verification of application Evidence

Document type:

Verification of application Evidence

File:  Haggit Howe Caravan Site Licence 1 2 1980.pdf

Size: 423.67 KB

Uploaded: 25/10/2022 13:32

Description:

Site Licence 1 2 1980

Document type:

Verification of application Evidence

File:  Haggit Howe Caravan Site Licence number 037 3 7 2013.pdf

Size: 2.89 MB

Uploaded: 25/10/2022 13:32

Description:

Site Licence 3 7 2013

Document type:

Verification of application Evidence

File:  Haggit Howe Caravan Site Licence dated 8 10 2020.pdf

Size: 264.58 KB


Uploaded: 25/10/2022 13:31

Description:

Site Licence 8 10 2020

Document type:

Verification of application Evidence

File:  Photographs of Haggit Howe 2016.pdf

Size: 9.75 MB

Uploaded: 25/10/2022 13:30

Description:

General Photos 2016

Document type:

Verification of application Evidence

File:  Dated photograph 27 10 2016.pdf

Size: 753.74 KB

Uploaded: 25/10/2022 13:28

Description:

Photo 27 10 2016

Document type:

Verification of application Evidence

File:  Aerial Photograph 2009.pdf

Size: 655.1 KB


Uploaded: 25/10/2022 13:27

Description:

Aerial Photo 2009

Document type:

Verification of application Evidence

File:  Photograph of Haggit Howe with Queen Mary 1 Ship 21 10 2009.pdf

Size: 843.45 KB

Uploaded: 25/10/2022 13:26

Description:

Photo with Queen Mary Ship 21 10 2009

Document type:

Verification of application Evidence

File:  Aerial Photograph May 2002.pdf

Size: 672.81 KB


Uploaded: 25/10/2022 13:25

Description:

Aerial Photo May 2002

Document type:

Verification of application Evidence

File:  Scarborough Borough Council Business Rates Bill 2017 18.pdf

Size: 291.05 KB

Uploaded: 25/10/2022 13:24

Description:

Business Rates Bill

Document type:

Verification of application Evidence




[< Back to application overview](#)

Description:

Non Domestic Rating List 2010 to date

Document type:

Verification of application Evidence

File:  Statement by DJ Stevenson.pdf

Size: 202.29 KB


Uploaded: 25/10/2022 13:18

Description:

Statement DJ Stevenson

Document type:

Verification of application Evidence

File:  Statement by Mrs A Roe.pdf

Size: 173.07 KB

Uploaded: 25/10/2022 13:17

Description:

Statement Mrs Roe

Document type:

Verification of application Evidence

File:  Statement by M J Gray with photograph.pdf

Size: 518.7 KB


Uploaded: 25/10/2022 13:17

Description:

Statement M J Gray

Document type:

Verification of application Evidence

File:  Statement by Mr D Robinson with photographs.pdf

Size: 640.61 KB

Uploaded: 25/10/2022 13:16

Description:

Statement Mr D Robinson

Document type:

Verification of application Evidence

File:  Statement by Mr M Atkinson with photograph.pdf

Size: 1.36 MB


Uploaded: 25/10/2022 13:16

Description:

Statement Mr M Atkinson

Document type:

Verification of application Evidence

File:  Statement by Ms L Trotter.pdf

Size: 218.5 KB

Uploaded: 25/10/2022 13:15

Description:

Statement Ms L Trotter

Document type:

Verification of application Evidence

File:  Statement by Mr D A Trotter and photograph pdf.pdf

Size: 1.08 MB

Uploaded: 25/10/2022 13:15

Description:

Statement Mr D Trotter

Document type:

Verification of application Evidence

File:  Barrs and Co Supporting statement Haggit Howe.pdf

Size: 404.89 KB

Uploaded: 25/10/2022 13:14

Description:

Barrs and Co Supporting Statement

**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

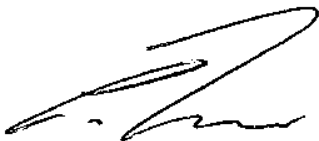
Town and Country Planning (Development Management Procedure) Order 2015:

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)**

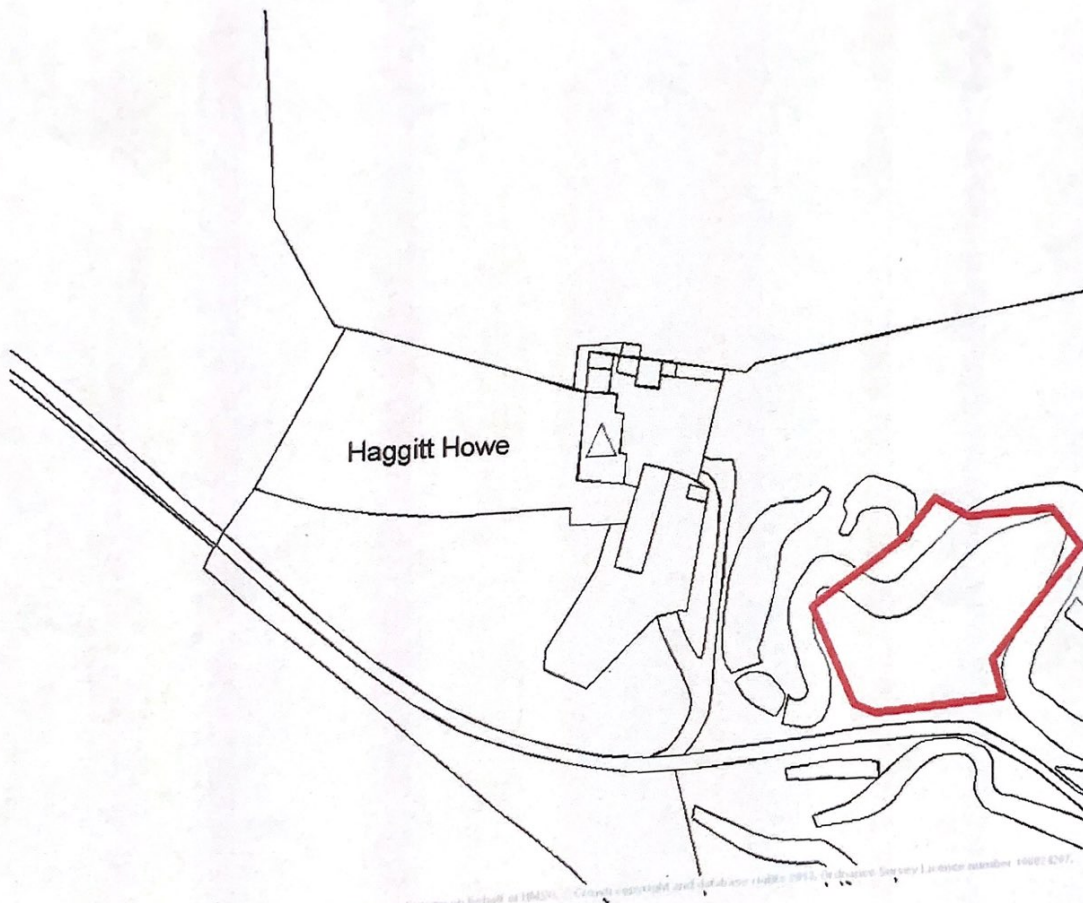
or online at www.planningportal.gov.uk/planning/appeals

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

SCARBOROUGH BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

This plan is that attached to Caravan Site Licence Number 037 in respect of land situated at **Haggitt How Farm, Saltwick, Whitby**; and known as **Haggitt Howe Caravan Site**. The red line represents the site boundary.



NOT TO SCALE – FOR IDENTIFICATION PURPOSES ONLY
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North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Tel: 01439 772700
Email: general@northyorkmoors.org.uk
Planning enquiries: planning@northyorkmoors.org.uk
www.northyorkmoors.org.uk



Mr D A Trotter
via email

Your ref:

Our ref: NYM\2020\ENQ\17047

Date: 15 October 2020

Dear Mr Trotter

Permitted Development enquiry for reinstatement of 6 no. caravans at Haggit How Caravan Site, Haggit How Farm, Saltwick

Thank you for the enquiry regarding the above received on 13/10/2020.

Firstly I would advise that planning permission would be required for the use proposed. The previous use of the land never had the benefit of planning permission and a certificate of lawful use application for the use of the land as a caravan site could not be granted as the previous caravans have now been removed from the site and the site has been vacant for more than three years, so any lawfulness of the site has been lost.

An application for the proposed use of the site would be considered against Policy UE2 (Camping, Glamping, Caravans and Cabins) of the North York Moors Local Plan. This Policy sets out that in order to respect the sensitivity of the local landscape character type all sites must be screened by existing topography, buildings or adequate well established vegetation which is within the applicant's control. The accommodation should avoid extensive alteration to ground levels, has a low environmental impact, does not lead to unacceptable harm in terms of noise and activity on the immediate area; does not detract from the character, tranquillity or visual attractiveness of the area; and is of a high quality design which complements its surroundings.

The site to which you refer does not meet the criteria of Policy UE2 and whilst there have historically been static and touring caravans on this site, this is not a use that was ever granted planning permission. Furthermore, the banks of the quarry do not screen the site from wider views and the caravans were considered to have a detrimental impact on the character of the area; the removal of these vans has provided a significant landscape benefit to the National Park. Such development would be visible from outside the site, as would any parking area, and would be seen as isolated development in the open countryside, detrimental to the character of the area.

Continued.../



Whilst it is unfortunate that you were not aware of the planning background of this site prior to purchase, on the basis of the above, I would advise you that your proposal would be considered to be contrary to Policy UE2 and would be unlikely to receive favourable consideration.

I hope that the above advice is of assistance but trust that you appreciate that this is an informal view only; a formal decision can only be made in response to a planning application. However, if you have any further queries, please do not hesitate to contact me again at the above address.

Yours sincerely

H. Saunders

Mrs Hilary Saunders MRTPI
Planning Team Leader
Development Management

e-mail: h.saunders@northyorkmoors.org.uk

Following the Government's recent introduction of local Covid-19 alert levels (12 October) and a change in advice which requests those that can work from home to do so (22 September), Planning staff have returned to working from home, however contact can still be made by email or by telephone.

Please use existing contact details provided on our website. Please note that the office is not open to the general public for unarranged access.

The Authority charges for providing planning and administration advice. A copy of the charging schedule is available to view on the Authority's website.

NYMNPA

25/10/2022



Application for
Certificate of Lawfulness of Existing Use or
Development

Supporting Statement

Haggit Howe Caravan Site, Haggit Howe Farm,
Saltwick, Whitby,
North Yorkshire YO22 4JY

Applicant: Ms L Trotter

PREPARED BY
ROBERT C BARRS BSc (Hons) MRICS
DIRECTOR BARRS & CO CHARTERED SURVEYORS

DATED October 2022

1 Background to this Application

- 1.1 Haggit Howe Caravan Site, Haggit Howe Farm, Saltwick, near Whitby YO22 4JY, is a small holiday static caravan park providing pitches for 6 caravans. The site has been in existence since at least 1960 to site 6 holiday static caravans with a March to October occupancy period. For clarification purposes the site is shown edged red on the plan at appendix 1. This plan is taken from the Site Licence issued by Scarborough Borough Council.
- 1.2 There is extensive photographic evidence and witness statements proving the existence of the site from the 1960's up to current day and these are provided in support of this application.
- 1.3 In 2017 the previous owner fell ill, was unable to operate the site and the caravans were gradually removed. This temporary cessation of use was merely the result of the retiring owner being unable to continue to run the site until the new operator was to take over the running of the site. In 2019 the current owner Ms L Trotter, the applicant, purchased the site and the adjoining dwelling.
- 1.4 The applicant's family have owned and run the neighbouring caravan park, known as Highgate Howe Holiday Home Park for many decades and know Haggit Howe Caravan Site well. Upon purchasing the site it was always the applicant's intention to reinstate holiday static caravans on the land. Unfortunately the applicant was mistakenly informed by NYNP immediately after the purchase that she was unable to do this without making a new planning application.
- 1.5 The site is currently Licensed by Scarborough BC to be used as a seasonal holiday static caravan site for 6 caravans. The current Licence is in the name of Ms Trotter and this was transferred from the previous owner by Scarborough BC in October 2020. From our research the earliest Licence available from the archives at Scarborough BC is a site Licence dated 1980 for permanent use of the site for 6 holiday static caravan with a March to October season and there is a further Site Licence also issued by Scarborough BC in 2013.
- 1.6 We assume that in 1980, 2013 and 2020 Scarborough BC acted lawfully in issuing a Site Licence and to do so they must have had proof that the site had planning permission in order to legally issue these Licences.
- 1.7 Comparing the Site Licence and planning history which other sites in the immediate vicinity we conclude that the original planning consents were issued by Whitby Rural District Council and that details of these consents have been lost under Local Government reorganisation. However planning must have existed, either by virtue of an actual planning consent or a deemed planning consent under the Caravan Sites and Control of Development 1960 Act in order for all the caravan sites in that area to be fully licensed.

2 Application for CLEUD

- 2.1 This application is for a CLEUD for the use of the land to site 6 holiday static caravans with an occupation between March and October on the following grounds:

Site Licence History

- 2.2. The evidence of an established Site Licence history dating back until at least 1980 indicates that the site benefits from full and permanent planning consent as a Site Licence cannot legally be issued without planning consent being in place. As result the current and the 1980 Site Licences prove that planning must have existed otherwise the Council would have acted unlawfully in the issue of these licences.
- 2.3. The planning permission was not temporary and it is noted from paragraph 1 of the 1980 Site Licence that SBC felt that the consent was permanent as they have typed 'not applicable' in the section that would be completed for temporary use planning consents.

Use of Land as a Caravan Site

- 2.4. The Caravan site at Haggit Howe has existed for many decades, we refer to the extensive evidence outlined below and which accompanies this application. This indicates that the use was not temporary and further there is no history of any enforcement action being taken in relation to the siting of caravans on the site at any time.
- 2.5. Planning consent for a caravan park allows for pitches for the stationing of caravans and whilst the caravans have been temporarily removed from the site the pitches remain, they have not been redeveloped for any other purpose.

Ocado Case 2021 - High Court

- 2.6 In the recent case of Ocado Retail Ltd v London Borough of Islington Rev1 2021, it was clearly established that a lawful planning right which had accrued upon the expiry of a time limit in section 171B of the TCPA 1990 is not lost merely because subsequently that right is not exercised for a period of time. The judgement examines in detail the principle that S171B lays down the time limits for taking enforcement action in respect of a breach of planning control, after which no such action may be taken in respect of that breach.

- 2.7 The High Court stated (para 135) ‘ once the relevant time limiting S171B expires the question of whether the authority would be able to take enforcement action is completely irrelevant. The taking of enforcement action is prohibited by the legislation itself and not by any principle that such action cannot be taken when a breach has ceased. The continuity principle is defunct so far as the former breach of planning control is concerned. There is therefore no reason why this judicial principle should govern the entitlement to enjoy the right which has accrued. Once the immunity period for a breach of planning control is satisfied, it is the time bar in S171B which prevents any enforcement action being taken thereafter, irrespective of whether what was formerly a breach of planning control continues.’
- 2.8. In relation to the siting of caravans at Haggit Howe the LPA never took enforcement action within the first 10 years of the land being used to site caravans and thus the use became legal at the end of that initial 10 year period. The fact the use then continued for decades longer or that the caravans were cleared prior to the sale is irrelevant as S171B prevents enforcement action irrespective of whether the caravan use continues.

Abandonment

- 2.9 The temporary removal of the caravans upon the park does not give rise to the cessation of the use of the land which is the principle planning use. Caravans are chattels for planning purposes unlike buildings. Planning permission is for pitches to be used for the stationing of caravans. The caravans could have been moved and replaced at any time as is the case on any working caravan park and whilst the caravans were removed the pitches remained in situ, i.e they were not redeveloped for any other purpose.
- 2.10. Further by marketing the land as a caravan park the previous owner evidences there was no intention to abandon the use at the time and the applicant by immediately intending to replace the caravans on the site shows clearly that there was never an intention by any party to abandon the use.

3 Evidence

- 3.1 The evidence listed below which accompanies this application provides proof of the existence of a caravan park at Haggit Howe over many decades.
- 3.2 Site Licences:
 - a. Site Licence No 12 dated 1st February 1980
 - b. Site Licence No 37 dated 3rd July 2013
 - c. Site Licence No 37 dated 8th October 2020
- 3.3 Photographs:
 - a. General photographs of Haggit Howe Caravan Site taken 2016.
 - b. Photograph of Haggit Howe dated 27 October 2016.
 - c. Aerial photograph of Highgate Howe Holiday Home Park taken in 2009 which also shows Haggit Howe Caravan Site with 6 caravans sited.
 - d. Photograph of Haggit Howe with Queen Mary 1 Ship dated 21/10/2009
 - e. Aerial photograph of Highgate Howe Holiday Home Park taken in May 2002 which also shows Haggit Howe Caravan Site with 6 caravans sited.
- 3.4 Statements:
 - a. Statement by Mr D A Trotter, neighbour.
 - b. Statement by Ms L Trotter (the applicant), neighbour.
 - c. Statement by Mr M Atkinson, employee of previous owner, with photograph.
 - d. Statement by Mr D Robinson, holiday maker, with photographs.
 - e. Statement by M J Gray, local resident with photograph.
 - f. Statement by Mrs A Roe, local resident
 - g. Statement by D J Stevenson, former local resident.
- 3.5 Other Evidence
 - a. VOA Business Rates List record for the 2010 to 2017 Rating List
 - b. Business Rates Bill from Scarborough Borough Council Haggit Howe Caravan Park 2017/18. The 2000 and 2005 Rating Lists are not in the public domain but will also show the site listed.

4 Conclusion

- 4.1 Haggit Howe Caravan Site has been an operating caravan park since the 1960's. It is most likely that the original planning consents were issued by Whitby Rural District Council and that details of these consents have been lost under Local Government reorganisation, or that planning consent was deemed by virtue of the issue of a Site Licence under the Caravan Sites and Control of Development Act 1960.
- 4.2 Haggit Howe has operated under Caravan Park Site Licences issued by Scarborough BC and to accompany this application we have provided Site Licences going back to 1980.
- 4.3 We have provided statements showing the caravan park was used for the siting of 6 holiday static caravans from the 1960's up to 2017. There was never any enforcement action taken against the park and there was never any intention to abandon the use of the land for the siting of caravans.
- 4.4 The Ocado case referred to above clearly establishes that section 171B of the TCPA 1990 lays down the time limits for taking enforcement action in respect of a breach of planning control, after which time if no enforcement action has been commenced no enforcement action may be taken in respect of that breach.
- 4.5 In view of the above the position is either:
- a. Planning permission for 6 pitches for the stationing of holiday static caravans at Haggit Howe was given historically which is extant, hence the issue of Site Licences, or
 - b. The holiday static caravans at Haggit Howe were sited in breach of planning control, but as they have been in place for decades and no enforcement action was ever taken within the time limit outlined in the TCPA 1990 then no enforcement action can be taken now.
- 4.6 In either of the above situations the use of land at Haggit Howe for the stationing of 6 holiday static caravans is lawful and the LPA should now issue a CLEUD.

Supporting Statement
Prepared By

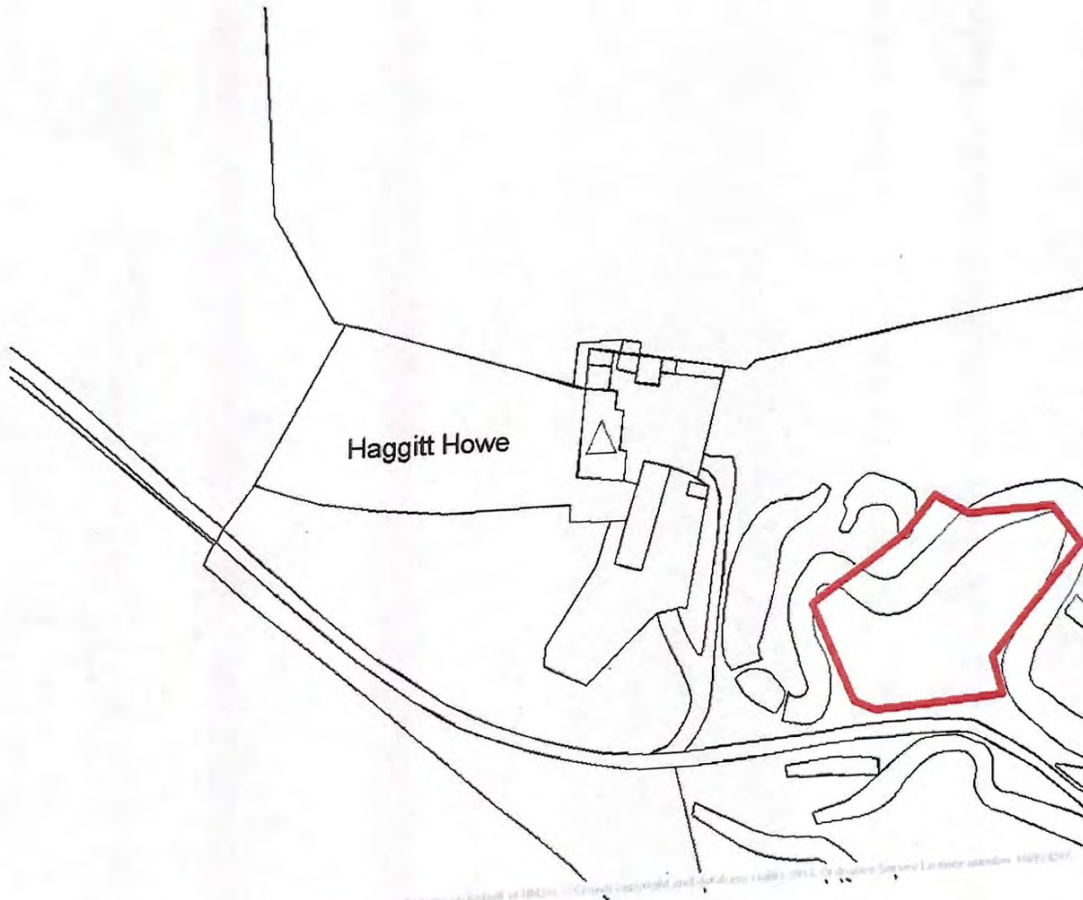
Robert C Barrs MRICS BSC(Hons)
Director Barrs & Co Ltd
www.barrsandco.com

Appendix 1

SCARBOROUGH BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

This plan is that attached to Caravan Site Licence Number 037 in respect of land situated at **Haggitt How Farm, Saltwick, Whitby**; and known as **Haggitt Howe Caravan Site**. The red line represents the site boundary.



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NYMNP
25/10/2022



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2009

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25/10/2022



Date 21 Oct 09
Tesco OPC, 2543943502, TE042110902_00006.JPG

Dated photograph 27 10 2016

NYMNPA

25/10/2022



NYMNPA

25/10/2022





CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT, 1960LICENCE FOR CARAVAN SITE

The SCARBOROUGH BOROUGH COUNCIL (hereinafter called "the Council") under and for the purpose of Part I of the Caravan Sites and Control of Development Act 1960 hereby license _____ (name) of

Mr B G Dixon

(name) of

Brook House, Saltwick, Whitby

(address)

(hereinafter referred to as "the Licensee") being the occupier of the land situate at

Haggett Howe, Saltwick, Whitby

defined edged red on the plan attached to this licence and known as

Haggett Howe, Saltwick, Whitby

(hereinafter referred to as "the Caravan Site") to be used as a Caravan Site as defined in the said Act subject to the following conditions:-

1. Date of Expiry

This licence shall expire on not applicable (date) and the use of the land as a Caravan Site shall cease and the caravans shall be removed on that date unless the Licensee has obtained planning permission for extension of the use of the land as a Caravan Site after that date and a renewal of this licence permitting such extended use.

2. Period of Use

No caravan on the Caravan Site shall be used for human habitation other than during the period _____ in any year.
1st March to 31st October

3. Number of Caravans

Not more than 6 (six) caravans shall be stationed on the Caravan Site at any one time.

4. Type and Condition of Caravans

The only caravans to be stationed on the Caravan Site shall be purpose-built trailer or self-propelled caravans not converted from a motor vehicle or structure originally designed for some other purpose. The Licensee shall ensure that each caravan on the caravan site is maintained in a clean condition and in a good state of repair and decoration.

5. Density and Space between Caravans

Every caravan shall be not less than 6 metres (20 feet) from any other caravan in a separate occupation and not less than 3 metres (10 feet) from a carriage-way.

6. Roads and Footpaths

The Licensee shall provide and maintain in good repair roads having a hard and well-maintained surface so that no caravan or toilet block is more than 45 metres (150 feet) from a road. Each toilet block shall be connected to a road by a footpath with a hard surface maintained in good repair. Roads shall be not less than 4 metres (13 feet) wide or, if they form part of a one-way system 2.75 metres (9 feet) wide. Footpaths shall not be less than 0.75 metres (2 feet 6 inches) wide.

7. Hard Standings

Every caravan shall stand on a hard standing of impervious material which shall extend over the whole area occupied by the caravan placed upon it and shall project not less than one metre (3 feet) outwards from each entrance to the caravan unless the caravans are removed from the Caravan Site during the period in which the site may not be used as a Caravan Site under condition no. 2 of this licence.

8. Fire Precautions

(a) Fire Points

The Licensee shall provide fire points in positions to be approved by the Council for the purpose of this licence and so that no caravan or site-building is more than 30 metres (100 feet) from a fire point. Such fire points shall be easily accessible and clearly and conspicuously marked "FIRE POINT".

(b) Fire Fighting Equipment

Where water standpipes are provided and there is a water supply of sufficient pressure and flow to project a jet of water approximately 5 metres (16 feet 6 inches) from the nozzle, such water standpipes shall be situated at each fire point together with a reel of small diameter hose of not less than 30 metres (100 feet) in length, having a screw thread means of connection to a water standpipe and terminating in a small hand control nozzle. Hoses shall be housed in a box painted red and marked "HOSE REEL".

Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point shall be provided with either water extinguishers (2 x 9 litre) or a water tank of at least 500 litres capacity fitted with a hinged cover, 2 buckets and 1 hand pump or bucket pump.

(c) Fire Warning

A means of raising the alarm in the event of a fire shall be provided at each fire point.

(d) Maintenance

All alarm and fire fighting equipment shall be maintained in working order and available for inspection by or on behalf of the licensing Authority. All equipment susceptible to damage by frost shall be suitably protected.

(e) Fire Notices

A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire and the location of the nearest telephone. This notice shall include the following:-

"On discovering a fire

- (i) ensure the caravan or site building involved is evacuated;
- (ii) raise the alarm;
- (iii) call the fire brigade (the nearest telephone is sited at _____);

(iv) attack the fire using the fire fighting equipment provided.

8. Fire Precautions Cont.

(e) Fire Notices Cont.

It is in the interest of all occupiers of this site to be familiar with the above routine and the method of operating the fire alarms and fire fighting equipment."

(f) Fire Hazards

Long grass and vegetation shall be cut at frequent and regular intervals to prevent it becoming a fire hazard. Any such cuttings shall be removed from the vicinity of caravans. Adequate and safe provision shall be made for the storage of liquefied petroleum gas and regard shall be had to the Health and Safety Executive Code of Practice for the keeping of Liquefied Petroleum Gas in Cylinders and similar Containers.

9. Electrical Installations

The Licensee shall provide an electricity supply sufficient in all respects to meet all reasonable demands of the electrical installations on the site.

Such electrical installation other than Electricity Board works and circuits subject to regulations made by the Secretary of State for Energy, under Section 60 of the Electricity Act 1947, shall be installed and maintained in accordance with the requirements of the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (the IEE Wiring Regulations) for the time being in force, and where appropriate to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1970, SI 1970 No. 1355.

The Licensee shall ensure that such electrical installation is inspected not less than once in every 12 months (in the case of underground installations 3 years) by a person who shall be one of the following:-

- A professionally qualified electrical engineer;
- A member of the Electrical Contractors' Association;
- A member of the Electrical Contractors' Association of Scotland;
- A certificate holder of the National Inspection Council for Electrical Installation Contracting; or
- A qualified person acting on behalf of one of these (in which case it should be stated for whom he is acting).

The frequency of inspection specified above may be reduced to such longer period as may be recommended by one of the foregoing persons.

The Licensee shall make arrangements to obtain from such person within 1 month of such an inspection an inspection certificate in the form prescribed in the IEE Wiring Regulations to be retained by the site operator and displayed with the site licence. The cost of the inspection and report shall be met by the site operator.

10. Water Supply

A water supply of adequate quantity and quality shall be readily accessible at all times on or adjacent to the site for use by the occupants of the caravans.

11. Drainage and Sewage Disposal

The Licensee shall make adequate arrangements to be approved by the Council for the foul and surface water drainage of the caravans and site and for the disposal of foul sewage; and, where chemical closets are provided, a properly

11. Drainage and Sewage Disposal Cont.

designed disposal point for the contents of chemical closets be provided having an adequate supply of water for the cleaning of containers.

12. Sanitary and Washing Facilities

Sanitary conveniences in proper working order and easily accessible shall be available at all times for use by the occupants of the caravans, comprising, at least, either:-

- (i) one W.C. and one wash basin for females and one W.C. and one wash basin for males, or
- (ii) two chemical closets and one wash basin for females and two chemical closets and one wash basin for males.

13. Refuse Storage and Disposal

The Licensee shall provide at every caravan standing a suitable refuse bin and arrangements shall be made for the bins to be emptied regularly. Where the Borough Council undertakes collection of refuse arising at the Caravan Site, the Licensee shall be responsible for bringing all receptacles to a central point on the Caravan Site for emptying by the Council at such times as the Council collect refuse from the Caravan Site and, where a bulk refuse container is provided by the Council at the Caravan Site, for emptying the receptacles into the bulk refuse container.

14. Car Parking

Where the site layout permits parking of vehicles next to caravans to be allowed, there must be at least 3 metres (10 feet) of clear space between any two cars and any car and any caravan in separate occupation.

15. Site to be kept Clean and Tidy and Grass Cut

The Licensee shall see that all roads, footpaths, hardstandings, toilet blocks, laundries, cisterns, basins, sinks, gullies and drains are kept clean and in good order. The Licensee shall keep all parts of the Caravan Site and hedges, ditches and shrubberies thereon or abutting thereon in a clean and tidy condition and free from foul water and any offensive matter and waste or unwanted materials. The Licensee shall keep all grassed areas of the Caravan Site adequately cut and in a neat and tidy condition. The Licensee shall ensure that spaces under caravans are kept clear and unobstructed and that all parts of the Caravan Site are kept in such condition as not to harbour refuse or vermin.

16. Use only for Caravans or Specified Purposes

The Licensee shall not:-

- (i) use or allow the Caravan Site to be used for any purposes other than the stationing or storage of caravans except that the land may be used for the grazing of sheep or cattle when none of the caravans on the Caravan Site is used for human habitation;
- (ii) place or erect any structure or building or permit any structure or building to be placed or erected on the Caravan Site (other than a caravan) without the prior approval of the Council for the express purpose of this condition (whether or not such building is approved by the Council under the Building Regulations or any other statutory authority).

17. Landscaping

The Licensee shall, where required by the Council, carry out and maintain landscaping works in accordance with a scheme to be approved by the Council for the purposes of this licence.

18. Good Conduct and Supervision

The Licensee shall make and maintain adequate arrangements for the supervision of the Caravan Site so as to ensure observance of these conditions and the good conduct of the Caravan Site.

19. Display of Licence

A copy of this licence shall be displayed on the Caravan Site in some conspicuous place at all times when caravans are stationed on the Caravan Site for purposes of human habitation.

20. Additional Conditions (if any)

Dated this 1st (first) day of February 19 80 .

Signed
Director of Environmental Health
and Housing Services.
Authorised Officer.

Brook Square,
Scarborough.

SCARBOROUGH BOROUGH COUNCIL

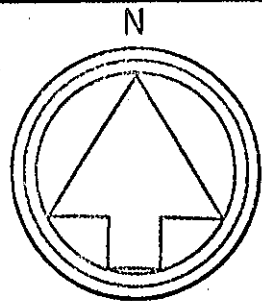
Department of Environmental Health & Housing Services
CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

This plan is that attached to Caravan Site Licence No. 12

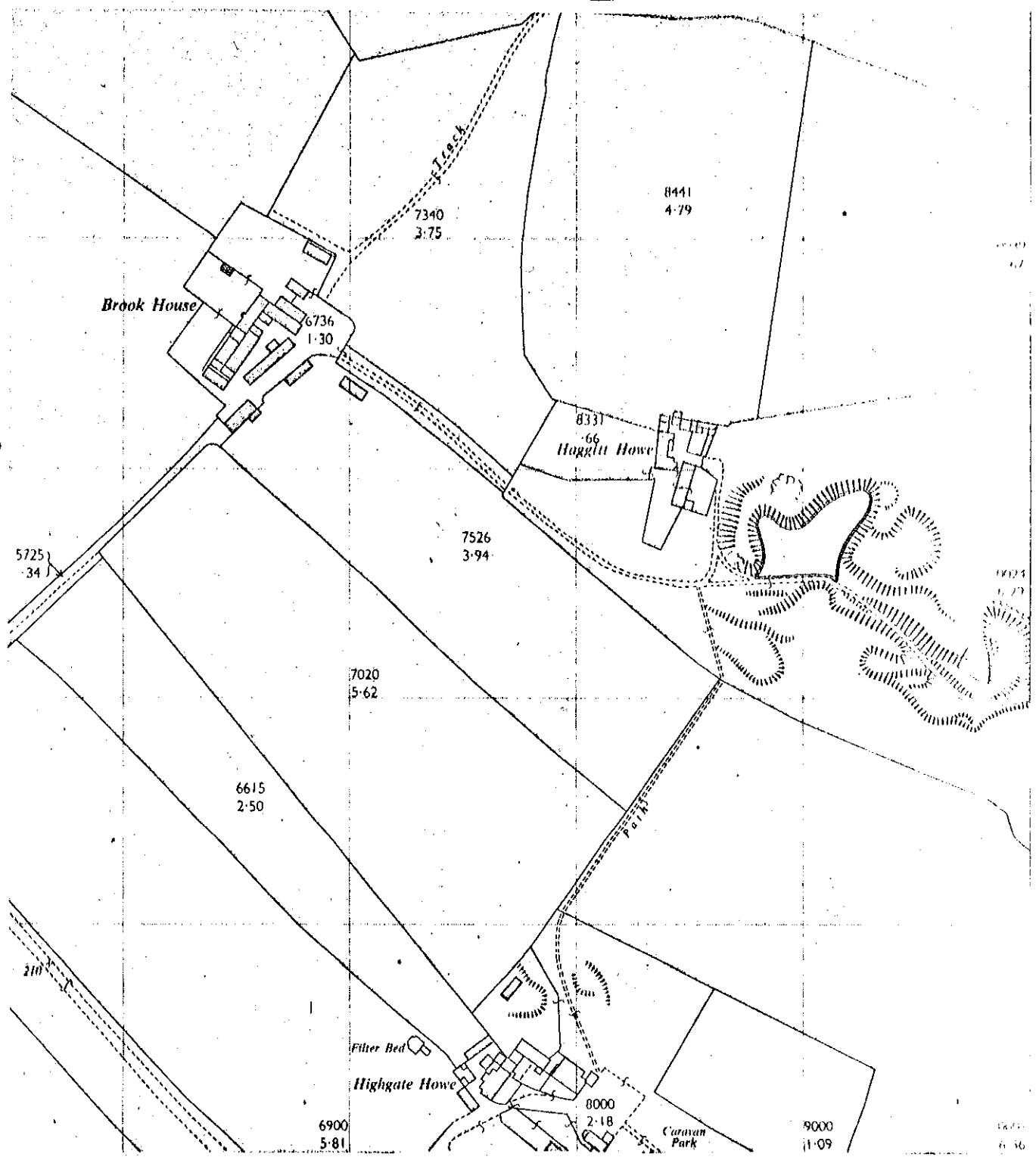
in respect of the caravan site known as Haggett Howe

and situated at Saltwick, Whitby

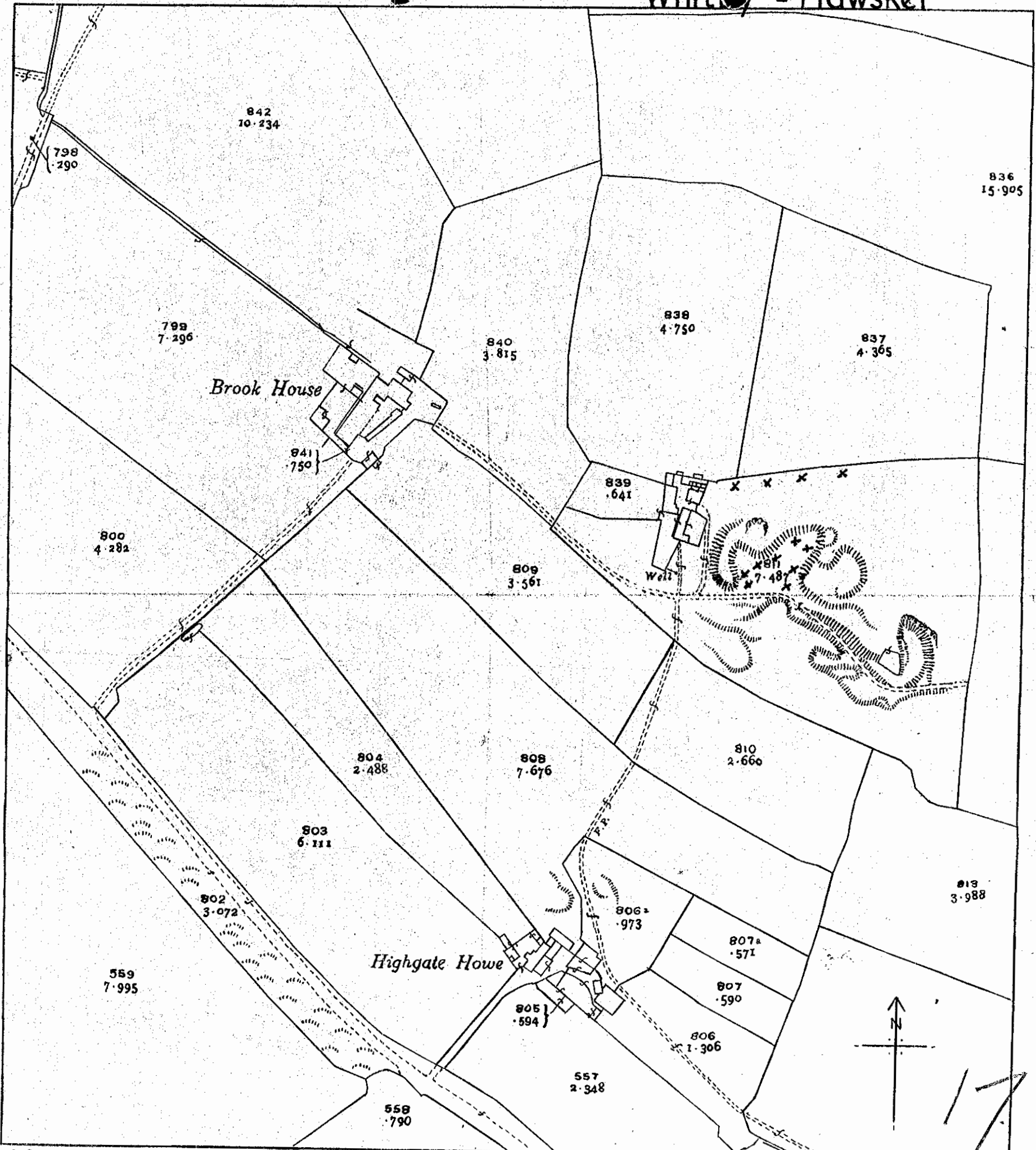
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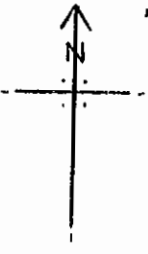
Whitby - Hawsker



Brook House

Highgate Howe

Well



NYMNPA

25/10/2022

Licence number: 037

SCARBOROUGH BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

CARAVAN SITE LICENCE

The SCARBOROUGH BOROUGH COUNCIL (hereinafter called "the Council") under and for the purpose of Part 1 of the Caravan Sites and Control of Development Act 1960 hereby licenses Mrs Lillias Anne Dixon, of Brook House, Saltwick, Whitby, YO22 4JY (hereinafter referred to as "the Licensee") being the occupier of the land situated at Haggit Howe Farm, Saltwick, Whitby, YO22 4JX defined edged red on the plan attached to this licence and known as Haggit Howe Caravan Site (hereinafter referred to as "the Caravan Site") to be used as a Caravan Site as defined in the said Act subject to the following conditions.

LICENCE CONDITIONS FOR STATIC CARAVAN AREA

1. Period of Use

No static caravan on the Caravan Site shall be used for human habitation other than during the period of the 1 March – 31 October in any one year.

2. Number of Caravans

Not more than SIX (6) static holiday caravans shall be stationed on the Caravan Site at any one time.

3. Type and Condition of Caravans

The only caravans to be stationed on the Caravan Site shall be purpose-built trailer or self-propelled caravans not converted from a motor vehicle or structure originally designed for some other purpose. The Licensee shall ensure that each caravan on the Caravan Site is maintained in a clean condition and in a good state of repair and decoration.

4. Density

The gross density shall not exceed (60) caravans to a hectare of the useable land upon the site.

5. Roads and Footpaths

The Licensee shall provide and maintain in good repair roads having a hard and well-maintained surface so that no caravan or toilet block is more than 45 metres from a road. Each toilet block shall be connected to a road by a footpath with a hard surface maintained in good repair. Roads shall be not less than 4 metres wide or, if they form part of a one-way system, 2.75 metres wide. Footpaths shall be not less than 0.75 metres wide.

6. Hardstandings

Every caravan shall stand on a hardstanding of impervious material which shall extend over the whole area occupied by the caravan placed upon it and shall project not less than one metre outwards from each entrance to the caravan unless the caravans are removed from the caravan site during the period in which the site may not be used as a Caravan Site under Condition No. 1 of this Licence.

7. Liquefied Petroleum Gas

LPG storage supplied from tanks should comply with Guidance Booklet HSG 34 "The Storage of LPG at Fixed Installations" or where LPG is supplied from cylinders, with Guidance Note CS4 "The Keeping of LPG in Cylinders and Similar Containers" as appropriate (see Guidance Note attached). The Gas Safety (Installation and Use) Regulations 1994 also apply to LPG storage supplied from tanks.

Where there are metered supplies from a common LPG storage tank, then Guidance Note CS11 "The Storage and Use of LPG at Metered Estates" provides further guidance. In this case and where a British Gas Mains Supply is available, then the Gas Safety (Installation and Use) Regulations 1998 and the Pipelines Act 1962 may also be applicable.

Exposed gas bottles or cylinders should not be within the separation boundary of an adjoining unit where there is only the minimum separation distance between the units.

LPG installations should conform to British Standard 5482 "Code of Practice for Domestic Butane and Propane Gas Burning Installations, Part 2 : 1977 Installations in Caravans and Non-permanent Dwellings".

For main gas supply, the 1998 Regulations will be relevant for the installation downstream of any service pipe(s) supplying any primary meter(s) and such service pipes are subject to the Gas Safety Regulations 1972.

In cases where the site owner supplies gas to caravans on the site, he may need an authorisation to do so from OFGAS under the Gas Act 1986.

8. Electrical Installation

The Licensee shall provide an electricity supply sufficient in all respects to meet all reasonable demands of the electrical installations on the site.

Such electrical installations other than Electricity Board works and circuits subject to regulations made by the Secretary of State for Energy, under Section 16 of the Energy Act 1983 and Section 64 of the Electricity Act 1947, shall be installed and maintained in accordance with the requirements of the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (the IEE Wiring Regulations) for the time being in force and, where appropriate, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1988, SI 1988 No. 1057.

The Licensee shall ensure that such electrical installation is inspected not less than once in every 12 months (in the case of underground installations 3 years) by a person who shall be one of the following:-

A professionally qualified electrical engineer;

A member of the Electrical Contractors' Association;

A member of the Electrical Contractors' Association of Scotland;

A certificate holder of the National Inspection Council for Electrical Installation Contracting; or

A qualified person acting on behalf of one of these (in which case it should be stated for whom he is acting).

The frequency of inspection specified above may be reduced to such longer period as may be recommended by one of the foregoing persons.

The Licensee shall make arrangements to obtain from such person within 1 month of such an inspection an inspection certificate in the form prescribed in the IEE Wiring Regulations to be retained by the site operator and displayed with the site Licence. The cost of the inspection and report shall be met by the site operator. If inspection reveals that an installation no longer complies with the latest version of the IEE Wiring Regulations then all deficiencies shall be rectified.

9. Water Supply

The Licensee shall provide a water supply of adequate quantity and quality complying with British Standard Code of Practice CP 310 (1952) at water standpipes so that no caravan is situated more than 54 metres from a water standpipe. A trapped gully draining to an adequate drainage system or soakway shall be provided at each water standpipe.

10. Drainage and Sewage Disposal

The Licensee shall:-

- (i) Make satisfactory provision for foul drainage either by connection to a public sewer or by discharge to a properly constructed septic tank, cess pool or other adequate sewage treatment system; and
- (ii) Provide properly designed disposal points for the contents of chemical closets with an adequate supply of water for cleaning containers; and
- (iii) Provide waste water disposal points separate from but adjacent to water standpipes so that no caravan is sited more than 54 metres from a waste water disposal point.
- (iv) Adequate surface water drainage for carriage-ways, footpaths, paved areas and for the site generally shall be provided to the satisfaction of the Council.

11. Sanitary and Washing Facilities

The Licensee shall provide and maintain in positions to be approved by the Council for the purposes of this Licence toilet blocks providing the following accommodation:-

For Males - 1 W.C. and 1 urinal and 1 wash basin per 15 caravans;

For Females - 2 W.C.s and 1 wash basin per 15 caravans;

1 shower or bath for each sex per 20 caravans

Toilet blocks shall be provided with adequate water supplies and wash basins, and baths / showers with a constant supply of hot and cold water or hot water at a suitably controlled temperature.

Toilet blocks shall be so sited and provided that no caravan is more than 95 metres from a toilet block.

12. Individually Serviced Caravans

Where every caravan on the Caravan Site is provided with:-

- (i) A water supply of adequate quantity and quality complying with British Standard Code of Practice CP310 (1952);
- (ii) A wash basin, sink and fixed bath or shower each provided with a constant supply of hot and cold water or hot water at a suitably controlled temperature;
- (iii) A water closet; and
- (iv) Adequate provision, to the satisfaction of the Council, for foul drainage and the disposal of waste water;

then the undermentioned requirements of the conditions attached to this Licence shall not apply:-

- (a) In Condition No. 9, the requirement for water standpipes other than standpipes providing water for fire fighting purposes.
- (b) In Condition No. 10, the requirement for disposal points for chemical closets and waste water.
- (c) Condition No. 11 requiring the provision of communal sanitary and washing facilities.
- (d) Condition No. 13 requiring the provision of communal laundry facilities.

Where some of the caravans on the Caravan Site are not provided with all the facilities listed at (i), (ii), (iii) and (iv) above, then the requirements for communal facilities detailed at (a), (b), (c) and (d) above shall apply pro rata to the total number of such caravans on the Caravan Site.

13. Laundry Facilities

The Licensee shall provide laundry facilities in a separate room on the scale of not less than 1 deep sink with running hot and cold water per 30 caravans.

14. Refuse Storage and Disposal

The Licensee shall provide suitable and sufficient refuse bins and arrangements shall be made for the bins to be emptied regularly. Where the Borough Council undertakes collection of refuse arising at the Caravan Site, the Licensee shall be responsible for bringing all receptacles to a central point on the Caravan Site for emptying by the Council at such times as the Council collect refuse from the Caravan Site and, where a bulk refuse container is provided by the Council at the Caravan Site, for emptying the receptacles into the bulk refuse container.

15. Car Parking etc.

The Licensee shall provide suitable surfaced parking places with space for at least one car for every three caravans. Where the site layout permits, the Licensee may allow parking of vehicles next to caravans. Any door to a caravan or ancillary structure shall not be obstructed by any vehicle so parked.

16. Recreation Space

Space equivalent to one-tenth of the total area of the Caravan Site shall be allocated for children's games and other recreational purposes, in a position or positions to be approved by the Council for the purposes of this Licence.

17. Site to be kept Clean and Tidy and Grass Cut

The Licensee shall see that all roads, footpaths, hardstandings, toilet blocks, laundries, cisterns, basins, sinks, gullies and drains are kept clean and in good order. The Licensee shall keep all parts of the Caravan Site and any hedges, ditches and shrubberies thereon or abutting thereon in a clean and tidy condition and free from foul water and any offensive matter and waste or unwanted materials. The Licensee shall keep all grassed areas of the Caravan Site adequately cut and in a neat and tidy condition. The Licensee shall ensure that spaces under the caravans are kept clean and unobstructed and that all parts of the Caravan Site are kept in such condition as not to harbour refuse or vermin.

18. Use only for Caravans or Specified Purposes

The Licensee shall not:-

- (i) use or allow the Caravan Site to be used for any purpose other than the stationing or storage of caravans except that the land may be used for the grazing of sheep or cattle when none of the caravans on the Caravan Site is used for human habitation.
- (ii) place or erect any structure or building or permit any structure or building to be placed or erected on the Caravan Site (other than a caravan) without the consent of the Council for the purposes of this condition

(whether or not such building is approved by the Council under Building Regulations or any other statutory authority).

19. Landscaping

The Licensee shall, where required by the Council, carry out and maintain landscaping works in accordance with a scheme to be approved by the Council for the purposes of this Licence.

20. Good Conduct and Supervision

The Licensee shall make and maintain adequate arrangements for the supervision of the Caravan Site so as to ensure observance of these conditions and the good conduct of the Caravan Site.

21. Telephones

An immediately accessible telephone should be available on the site for calling the emergency services, at all times. A notice by the telephone should include the address of the site.

22. Notices

A copy of this Licence shall be displayed on the Caravan Site in some conspicuous place at all times when the caravans are stationed on the Caravan Site for purposes of human habitation.

Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should show where the police, fire brigade, ambulance and local doctors can be contacted and the location of the nearest public telephone. The notices should also give the name and location/telephone number of the site licence holder or his/her accredited representative. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.

All notices should be suitably protected from the weather and displayed where possible out of the direct rays of the sun, preferably in areas lit by artificial lighting.

Dated: 3 July 2013

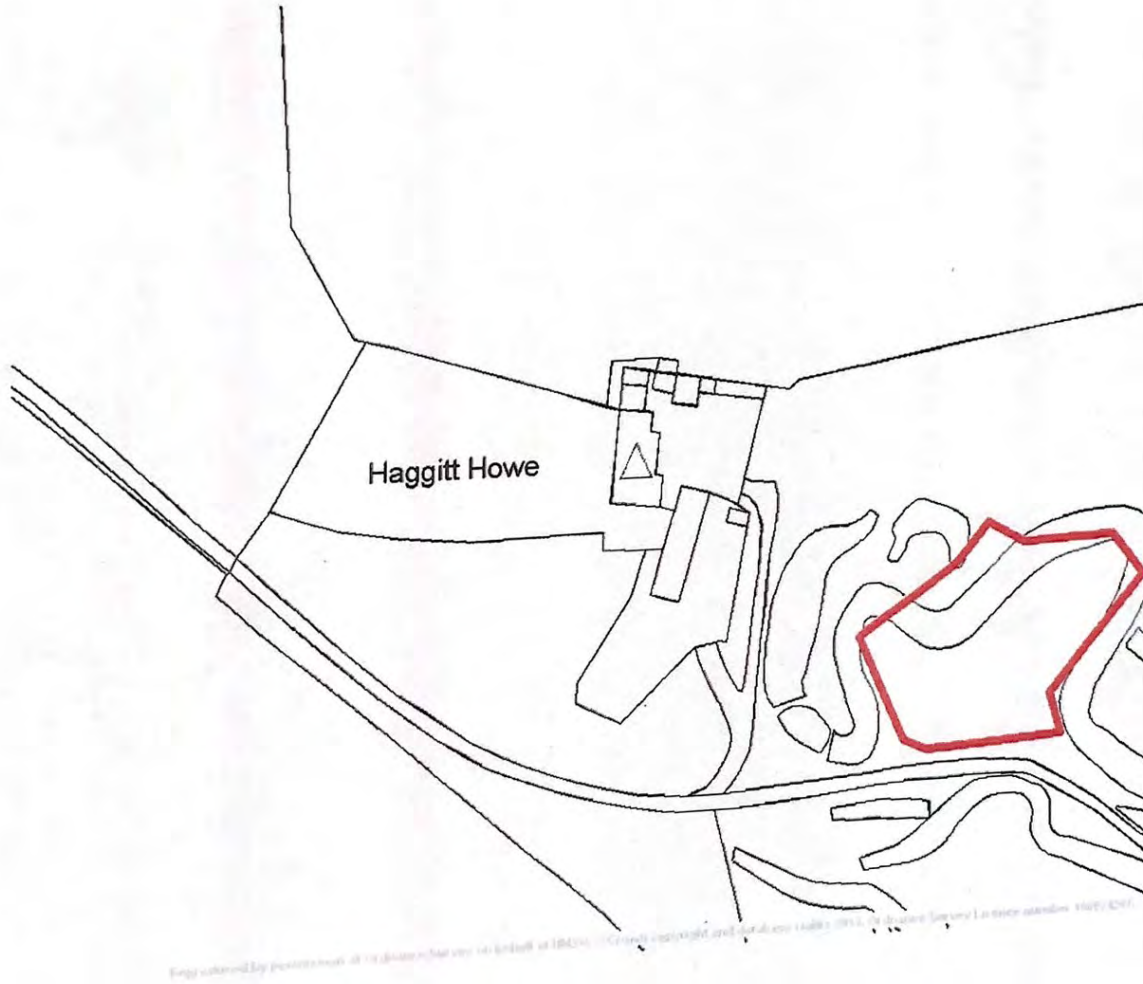
Signed....
Head of Environmental Services
(Authorised Officer)

Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

SCARBOROUGH BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

This plan is that attached to Caravan Site Licence Number 037 in respect of land situated at **Haggitt How Farm, Saltwick, Whitby**; and known as **Haggitt Howe Caravan Site**. The red line represents the site boundary.



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DA, O and LJ Trotter
Highgate Howe Holiday Home Park
Hawsker
Whitby
YO22 4JY

Your Ref:
Our Ref: 20/03300/PSH250

16 October 2020

NYMNP

25/10/2022

Dear Sir/Madam

**Caravan Sites and Control of Development Act 1960
Haggit Howe Caravan Site, Haggit Howe Farm, Saltwick, Whitby, YO22 4JX**

I now enclose two amended copies of the site licence. Please note that conditions attached to any previous licence are now revoked, and replaced by the enclosed licence. The licence must be displayed on the caravan site in some conspicuous place at all times when the caravans are stationed on the site for purposes of human habitation.

Should you have any queries or require further advice in connection with this correspondence, please do not hesitate to contact me on the above details.

Yours faithfully

Stephanie Baines

Technical Officer (Residential Regulation Team)
Environmental Health

 stephanie.baines@scarborough.gov.uk

 www.scarborough.gov.uk

 01723 232530



SCARBOROUGH BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

CARAVAN SITE LICENCE

The SCARBOROUGH BOROUGH COUNCIL (hereinafter called "the Council") under and for the purpose of Part 1 of the Caravan Sites and Control of Development Act 1960 hereby licenses **DA, O and LJ Trotter, of Highgate Howe Holiday Home Park, Hawsker, Whitby, YO22 4JY** (hereinafter referred to as "the Licensees") being the occupier of the land situated at **Haggit Howe Farm, Saltwick, Whitby, YO22 4JX** defined edged red on the plan attached to this licence and known as **Haggit Howe Caravan Site** (hereinafter referred to as "the Caravan Site") to be used as a Caravan Site as defined in the said Act subject to the following conditions.

LICENCE CONDITIONS FOR STATIC CARAVAN AREA

1. Period of Use

No static caravan on the Caravan Site shall be used for human habitation other than during the period of the **1 March – 31 October** in any one year.

2. Number of Caravans

Not more than **SIX (6)** static holiday caravans shall be stationed on the Caravan Site at any one time.

3. Type and Condition of Caravans

The only caravans to be stationed on the Caravan Site shall be purpose-built trailer or self-propelled caravans not converted from a motor vehicle or structure originally designed for some other purpose. The Licensee shall ensure that each caravan on the Caravan Site is maintained in a clean condition and in a good state of repair and decoration.

4. Density

The gross density shall not exceed (60) caravans to a hectare of the useable land upon the site.

5. Roads and Footpaths

The Licensee shall provide and maintain in good repair roads having a hard and well-maintained surface so that no caravan or toilet block is more than 45 metres from a road. Each toilet block shall be connected to a road by a footpath with a hard surface maintained in good repair. Roads shall be not less than 4 metres wide or, if they form part of a one-way system, 2.75 metres wide. Footpaths shall be not less than 0.75 metres wide.

6. Hardstandings

Every caravan shall stand on a hardstanding of impervious material which shall extend over the whole area occupied by the caravan placed upon it and shall project not less than one metre outwards from each entrance to the caravan unless the caravans are removed from the caravan site during the period in which the site may not be used as a Caravan Site under Condition No. 1 of this Licence.

7. Liquefied Petroleum Gas

LPG storage supplied from tanks should comply with Guidance Booklet HSG 34 "The Storage of LPG at Fixed Installations" or where LPG is supplied from cylinders, with Guidance Note CS4 "The Keeping of LPG in Cylinders and Similar Containers" as appropriate (see Guidance Note attached). The Gas Safety (Installation and Use) Regulations 1994 also apply to LPG storage supplied from tanks.

Where there are metered supplies from a common LPG storage tank, then Guidance Note CS11 "The Storage and Use of LPG at Metered Estates" provides further guidance. In this case and where a British Gas Mains Supply is available, then the Gas Safety (Installation and Use) Regulations 1998 and the Pipelines Act 1962 may also be applicable.

Exposed gas bottles or cylinders should not be within the separation boundary of an adjoining unit where there is only the minimum separation distance between the units.

LPG installations should conform to British Standard 5482 "Code of Practice for Domestic Butane and Propane Gas Burning Installations, Part 2 : 1977 Installations in Caravans and Non-permanent Dwellings".

For main gas supply, the 1998 Regulations will be relevant for the installation downstream of any service pipe(s) supplying any primary meter(s) and such service pipes are subject to the Gas Safety Regulations 1972.

In cases where the site owner supplies gas to caravans on the site, he may need an authorisation to do so from OFGAS under the Gas Act 1986.

8. Electrical Installation

The Licensee shall provide an electricity supply sufficient in all respects to meet all reasonable demands of the electrical installations on the site.

Such electrical installations other than Electricity Board works and circuits subject to regulations made by the Secretary of State for Energy, under Section 16 of the Energy Act 1983 and Section 64 of the Electricity Act 1947, shall be installed and maintained in accordance with the requirements of the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (the IEE Wiring Regulations) for the time being in force and, where appropriate, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1988, SI 1988 No. 1057.

The Licensee shall ensure that such electrical installation is inspected not less than once in every 12 months (in the case of underground installations 3 years) by a person who shall be one of the following:-

A professionally qualified electrical engineer;

A member of the Electrical Contractors' Association;

A member of the Electrical Contractors' Association of Scotland;

A certificate holder of the National Inspection Council for Electrical Installation Contracting; or

A qualified person acting on behalf of one of these (in which case it should be stated for whom he is acting).

The frequency of inspection specified above may be reduced to such longer period as may be recommended by one of the foregoing persons.

The Licensee shall make arrangements to obtain from such person within 1 month of such an inspection an inspection certificate in the form prescribed in the IEE Wiring Regulations to be retained by the site operator and displayed with the site Licence. The cost of the inspection and report shall be met by the site operator. If inspection reveals that an installation no longer complies with the latest version of the IEE Wiring Regulations then all deficiencies shall be rectified.

9. Water Supply

The Licensee shall provide a water supply of adequate quantity and quality complying with British Standard Code of Practice CP 310 (1952) at water standpipes so that no caravan is situated more than 54 metres from a water standpipe. A trapped gully draining to an adequate drainage system or soakway shall be provided at each water standpipe.

10. Drainage and Sewage Disposal

The Licensee shall:-

- (i) Make satisfactory provision for foul drainage either by connection to a public sewer or by discharge to a properly constructed septic tank, cess pool or other adequate sewage treatment system; and
- (ii) Provide properly designed disposal points for the contents of chemical closets with an adequate supply of water for cleaning containers; and
- (iii) Provide waste water disposal points separate from but adjacent to water standpipes so that no caravan is sited more than 54 metres from a waste water disposal point.
- (iv) Adequate surface water drainage for carriage-ways, footpaths, paved areas and for the site generally shall be provided to the satisfaction of the Council.

11. Sanitary and Washing Facilities

The Licensee shall provide and maintain in positions to be approved by the Council for the purposes of this Licence toilet blocks providing the following accommodation:-

For Males - 1 W.C. and 1 urinal and 1 wash basin per 15 caravans;

For Females - 2 W.C.s and 1 wash basin per 15 caravans;

1 shower or bath for each sex per 20 caravans

Toilet blocks shall be provided with adequate water supplies and wash basins, and baths / showers with a constant supply of hot and cold water or hot water at a suitably controlled temperature.

Toilet blocks shall be so sited and provided that no caravan is more than 95 metres from a toilet block.

12. Individually Serviced Caravans

Where every caravan on the Caravan Site is provided with:-

- (i) A water supply of adequate quantity and quality complying with British Standard Code of Practice CP310 (1952);
- (ii) A wash basin, sink and fixed bath or shower each provided with a constant supply of hot and cold water or hot water at a suitably controlled temperature;
- (iii) A water closet; and
- (iv) Adequate provision, to the satisfaction of the Council, for foul drainage and the disposal of waste water;

then the undermentioned requirements of the conditions attached to this Licence shall not apply:-

- (a) In Condition No. 9, the requirement for water standpipes other than standpipes providing water for fire fighting purposes.
- (b) In Condition No. 10, the requirement for disposal points for chemical closets and waste water.
- (c) Condition No. 11 requiring the provision of communal sanitary and washing facilities.
- (d) Condition No. 13 requiring the provision of communal laundry facilities.

Where some of the caravans on the Caravan Site are not provided with all the facilities listed at (i), (ii), (iii) and (iv) above, then the requirements for communal facilities detailed at (a), (b), (c) and (d) above shall apply pro rata to the total number of such caravans on the Caravan Site.

13. Laundry Facilities

The Licensee shall provide laundry facilities in a separate room on the scale of not less than 1 deep sink with running hot and cold water per 30 caravans.

14. Refuse Storage and Disposal

The Licensee shall provide suitable and sufficient refuse bins and arrangements shall be made for the bins to be emptied regularly. Where the Borough Council undertakes collection of refuse arising at the Caravan Site, the Licensee shall be responsible for bringing all receptacles to a central point on the Caravan Site for emptying by the Council at such times as the Council collect refuse from the Caravan Site and, where a bulk refuse container is provided by the Council at the Caravan Site, for emptying the receptacles into the bulk refuse container.

15. Car Parking etc.

The Licensee shall provide suitable surfaced parking places with space for at least one car for every three caravans. Where the site layout permits, the Licensee may allow parking of vehicles next to caravans. Any door to a caravan or ancillary structure shall not be obstructed by any vehicle so parked.

16. Recreation Space

Space equivalent to one-tenth of the total area of the Caravan Site shall be allocated for children's games and other recreational purposes, in a position or positions to be approved by the Council for the purposes of this Licence.

17. Site to be kept Clean and Tidy and Grass Cut

The Licensee shall see that all roads, footpaths, hardstandings, toilet blocks, laundries, cisterns, basins, sinks, gullies and drains are kept clean and in good order. The Licensee shall keep all parts of the Caravan Site and any hedges, ditches and shrubberies thereon or abutting thereon in a clean and tidy condition and free from foul water and any offensive matter and waste or unwanted materials. The Licensee shall keep all grassed areas of the Caravan Site adequately cut and in a neat and tidy condition. The Licensee shall ensure that spaces under the caravans are kept clean and unobstructed and that all parts of the Caravan Site are kept in such condition as not to harbour refuse or vermin.

18. Use only for Caravans or Specified Purposes

The Licensee shall not:-

- (i) use or allow the Caravan Site to be used for any purpose other than the stationing or storage of caravans except that the land may be used for the grazing of sheep or cattle when none of the caravans on the Caravan Site is used for human habitation.
- (ii) place or erect any structure or building or permit any structure or building to be placed or erected on the Caravan Site (other than a caravan) without prior approval of the Council for the express purpose of this condition

(whether or not such building is approved by the Council under Building Regulations or any other statutory authority).

19. Landscaping

The Licensee shall, where required by the Council, carry out and maintain landscaping works in accordance with a scheme to be approved by the Council for the purposes of this Licence.

20. Good Conduct and Supervision

The Licensee shall make and maintain adequate arrangements for the supervision of the Caravan Site so as to ensure observance of these conditions and the good conduct of the Caravan Site.

21. Telephones

An immediately accessible telephone should be available on the site for calling the emergency services, at all times. A notice by the telephone should include the address of the site.

22. Notices

A copy of this Licence shall be displayed on the Caravan Site in some conspicuous place at all times when the caravans are stationed on the Caravan Site for purposes of human habitation.

Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should show where the police, fire brigade, ambulance and local doctors can be contacted and the location of the nearest public telephone. The notices should also give the name and location/telephone number of the site licence holder or his/her accredited representative. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.

All notices should be suitably protected from the weather and displayed where possible out of the direct rays of the sun, preferably in areas lit by artificial lighting.

Dated: 8th October 2020

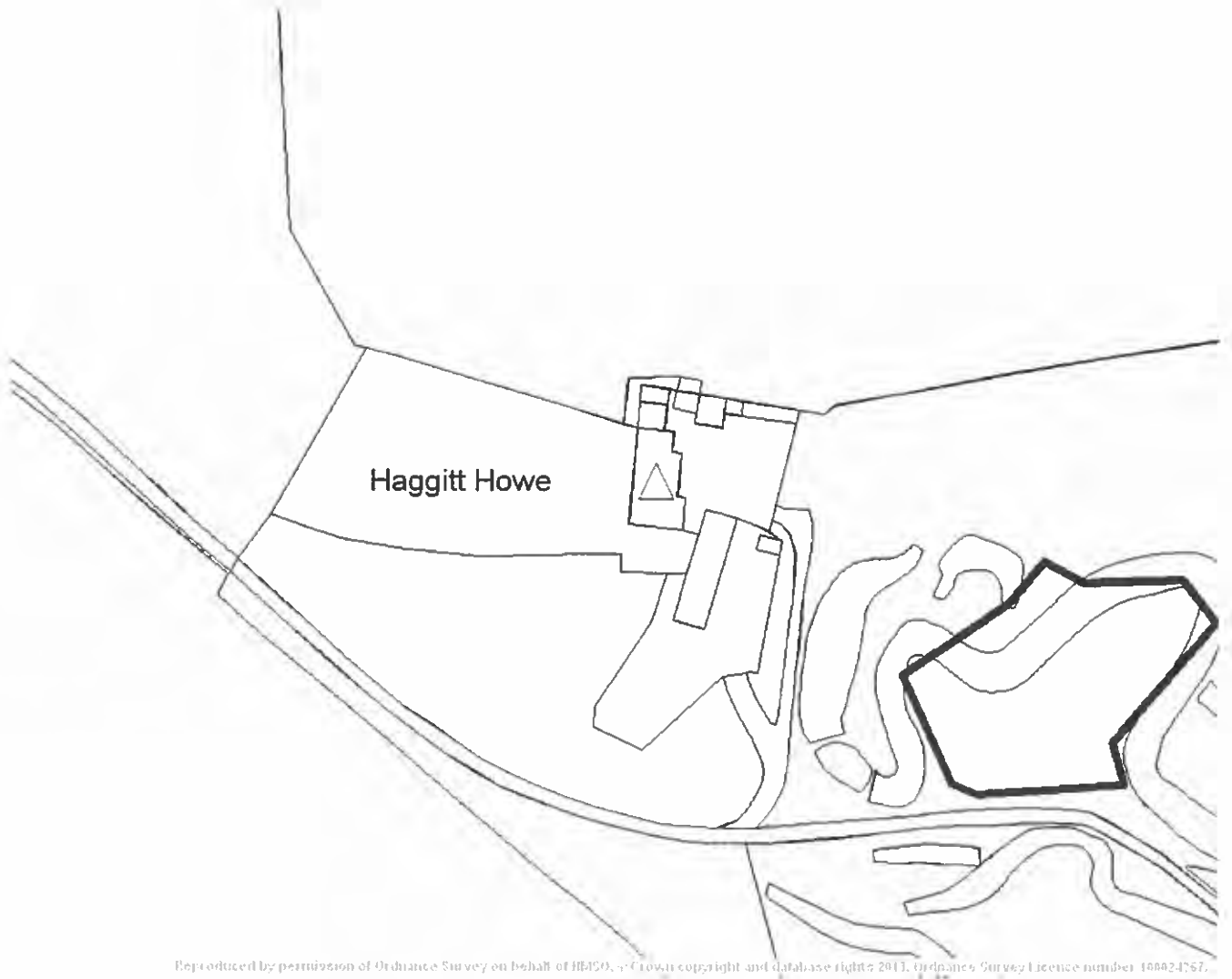
Signed.....
A Head of Environmental Services
(Authorised Officer)

Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

SCARBOROUGH BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

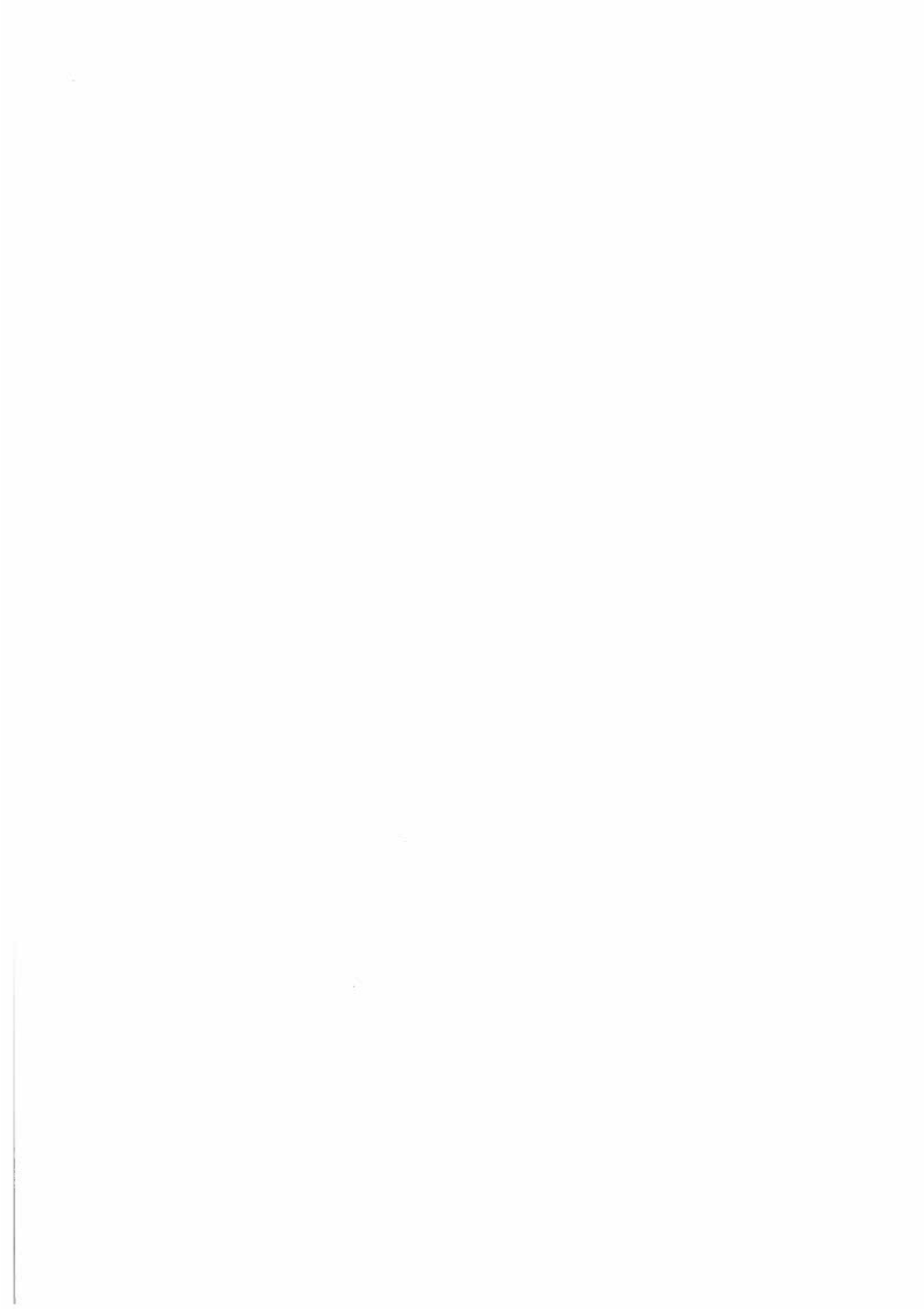
This plan is that attached to Caravan Site Licence Number **037** in respect of land situated at **Haggitt How Farm, Saltwick, Whitby**; and known as **Haggitt Howe Caravan Site**. The red line represents the site boundary.



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NYMNPA

25/10/2022

67 Love Lane
Whitby, Yorkshire
YO21 3LQ

7th December 2021

To whom it may concern

I understand that you wish confirmation of the fact that caravans were sited at Saltwick in the quarry over a period of years.

I am a member of the Stevenson family who lived at Brook House Farm, Saltwick, over a period of two centuries. I lived there until my mid-thirties after which I visited my family on a weekly, if not daily, basis. I can therefore confirm that caravans were situated at the said site since at least the 1960s.

Should you wish any further information I would be pleased to assist in the matter.

Yours faithfully




D.J. Stevenson

NYMNPA

25/10/2022

2, HIGHGATE HOUSE
HAWSKER, WHIBY
YO22 4JY
16/10/2022.

To Whom it May Concern.

Reference 'Haggitt Howe' Caravans.

I have resided at the above address for 26 years. Able to view the vans ~~onsite~~ on the site in question, until their recent removal.

Photo was taken around 2008. May be a little earlier.

To the best of my knowledge,

Yours Truly.



NYMNP

25/10/2022

Mr David Trotter

Highgate Cottage

Highgate Howe

Hawsker

Whitby

11/10/2022.

York 4th.

To whom it may concern

I David Trotter have been a neighbour of Haggitt Howe quarry for more than eighty years.

I can remember the caravans being first sited in the quarry at Haggitt Howe in the late 1940's - early 1950's. They occupied the quarry continually till 2016

The owner of Haggitt Howe Mrs Ann Dison became ill and passed away.

It was always a very popular site and well used, I would like to see it reinstated

Yours faithfully



NYMNPA

25/10/2022

Dave
Robinson [REDACTED]
ahoo.co.uk>

Mon 13/12/2021 12:32

To: You

My name is David Anthony Robinson.
My address is
Conundrum Farmhouse
Halidon Hill
Berwick upon Tweed
Northumberland
TD15 1UT

[REDACTED]

The images I have attached are exactly as I remember them.

For information, I was born 20th August 1954 and my Sister was born 15th February 1957.

Both are in keeping with the images of us.





NYMNPA

25/10/2022

Malcolm Atkinson
35 The Avenue
Castle Park
Whitby
North Yorkshire
YO21 3NH

To whom it may concern,

With regards to Haggit Howe Caravan Site at Brook House Farm, Saltwick, I am writing to confirm that there have been caravans on the site stretching back many years. I worked at Brook House for Mrs & Mrs Dixon the previous owners from March 1977 to July 2020. I don't know when the site was established but it had obviously been there for many decades and was very much part of the fixtures and fittings of the farm. Being situated in an old quarry the surrounding landscape provides natural screening meaning the site is not clearly visible from the surrounding area. There were six static caravan's on the site all privately owned and most were passed down from one generation to the next making it a small community. The six caravans can clearly be seen on the aerial photo which was taken around 2010/2011.

Mrs Dixon carried on running the farm and caravan site after Mr Dixon sadly passed away in 2009 despite not being in the best of health herself. In 2016 for her own reasons she made the decision to close the site.

After her death in December 2017 the farm continued in the hands of the executors until it was eventually sold in July 2020.

I understand the new owners wish to

reopen the site. I can confirm there are two septic tanks and a water supply on the site which were left in place at the time just for this reason and could easily be reconnected. I hope this letter will help towards the planning process so the site can be restored to how it has always been.

Yours faithfully



NYMNPA

25/10/2022

Garden House
New Gardens
Green Lane
Whitby
YO22 4JP

6th January 2022

To whom it may concern

Caravans sited in Quarry Area at Haggit Howe, Saltwick.

I can confirm that caravans have been sited at Haggit Howe, Saltwick for as long as I can remember.

I was born in the 30's, on a neighbouring farm where I still live, and have known all the families who have lived in the local area over the years.

If you require any further information, please do not hesitate to contact me.

Yours faithfully

Mrs Ada Roe



NYMNPA

25/10/2022

Rose Cottage
Highgate Howe
Whitby
YO22 4JY

14th October 2022

To Whom It May Concern

I, Lisa Trotter, can confirm I have been a neighbour of Haggitt Howe Caravan Site since the age of 5 and I am in my fifties now.

I have always known caravans been sited in the quarry and never seen it any different up until the end of 2016 when the caravans were removed due to the ill-health of the owner, Mrs Dixon.

It was a well established, popular site and it would be lovely to see it re-instated to how it was.

Yours Sincerely

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT, 1960LICENCE FOR CARAVAN SITE

The SCARBOROUGH BOROUGH COUNCIL (hereinafter called "the Council") under and for the purpose of Part I of the Caravan Sites and Control of Development Act 1960 hereby license _____ (name) of

Mr B G Dixon

_____ (address)

Brook House, Saltwick, Whitby

(hereinafter referred to as "the Licensee") being the occupier of the land situate at

Haggett Howe, Saltwick, Whitby

defined edged red on the plan attached to this licence and known as

Haggett Howe, Saltwick, Whitby

(hereinafter referred to as "the Caravan Site") to be used as a Caravan Site as defined in the said Act subject to the following conditions:-

1. Date of Expiry

This licence shall expire on not applicable (date) and the use of the land as a Caravan Site shall cease and the caravans shall be removed on that date unless the Licensee has obtained planning permission for extension of the use of the land as a Caravan Site after that date and a renewal of this licence permitting such extended use.

2. Period of Use

No caravan on the Caravan Site shall be used for human habitation other than during the period _____ in any year.
1st March to 31st October

3. Number of Caravans

Not more than 6 (six) caravans shall be stationed on the Caravan Site at any one time.

4. Type and Condition of Caravans

The only caravans to be stationed on the Caravan Site shall be purpose-built trailer or self-propelled caravans not converted from a motor vehicle or structure originally designed for some other purpose. The Licensee shall ensure that each caravan on the caravan site is maintained in a clean condition and in a good state of repair and decoration.

5. Density and Space between Caravans

Every caravan shall be not less than 6 metres (20 feet) from any other caravan in a separate occupation and not less than 3 metres (10 feet) from a carriage-way.

6. Roads and Footpaths

The Licensee shall provide and maintain in good repair roads having a hard and well-maintained surface so that no caravan or toilet block is more than 45 metres (150 feet) from a road. Each toilet block shall be connected to a road by a footpath with a hard surface maintained in good repair. Roads shall be not less than 4 metres (13 feet) wide or, if they form part of a one-way system 2.75 metres (9 feet) wide. Footpaths shall not be less than 0.75 metres (2 feet 6 inches) wide.

7. Hard Standings

Every caravan shall stand on a hard standing of impervious material which shall extend over the whole area occupied by the caravan placed upon it and shall project not less than one metre (3 feet) outwards from each entrance to the caravan unless the caravans are removed from the Caravan Site during the period in which the site may not be used as a Caravan Site under condition no. 2 of this licence.

8. Fire Precautions

(a) Fire Points

The Licensee shall provide fire points in positions to be approved by the Council for the purpose of this licence and so that no caravan or site-building is more than 30 metres (100 feet) from a fire point. Such fire points shall be easily accessible and clearly and conspicuously marked "FIRE POINT".

(b) Fire Fighting Equipment

Where water standpipes are provided and there is a water supply of sufficient pressure and flow to project a jet of water approximately 5 metres (16 feet 6 inches) from the nozzle, such water standpipes shall be situated at each fire point together with a reel of small diameter hose of not less than 30 metres (100 feet) in length, having a screw thread means of connection to a water standpipe and terminating in a small hand control nozzle. Hoses shall be housed in a box painted red and marked "HOSE REEL".

Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point shall be provided with either water extinguishers (2 x 9 litre) or a water tank of at least 500 litres capacity fitted with a hinged cover, 2 buckets and 1 hand pump or bucket pump.

(c) Fire Warning

A means of raising the alarm in the event of a fire shall be provided at each fire point.

(d) Maintenance

All alarm and fire fighting equipment shall be maintained in working order and available for inspection by or on behalf of the licensing Authority. All equipment susceptible to damage by frost shall be suitably protected.

(e) Fire Notices

A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire and the location of the nearest telephone. This notice shall include the following:-

"On discovering a fire

- (i) ensure the caravan or site building involved is evacuated;
- (ii) raise the alarm;
- (iii) call the fire brigade (the nearest telephone is sited at _____);

(iv) attack the fire using the fire fighting equipment provided.

8. Fire Precautions Cont.

(e) Fire Notices Cont.

It is in the interest of all occupiers of this site to be familiar with the above routine and the method of operating the fire alarms and fire fighting equipment."

(f) Fire Hazards

Long grass and vegetation shall be cut at frequent and regular intervals to prevent it becoming a fire hazard. Any such cuttings shall be removed from the vicinity of caravans. Adequate and safe provision shall be made for the storage of liquefied petroleum gas and regard shall be had to the Health and Safety Executive Code of Practice for the keeping of Liquefied Petroleum Gas in Cylinders and similar Containers.

9. Electrical Installations

The Licensee shall provide an electricity supply sufficient in all respects to meet all reasonable demands of the electrical installations on the site.

Such electrical installation other than Electricity Board works and circuits subject to regulations made by the Secretary of State for Energy, under Section 60 of the Electricity Act 1947, shall be installed and maintained in accordance with the requirements of the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (the IEE Wiring Regulations) for the time being in force, and where appropriate to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1970, SI 1970 No. 1355.

The Licensee shall ensure that such electrical installation is inspected not less than once in every 12 months (in the case of underground installations 3 years) by a person who shall be one of the following:-

- A professionally qualified electrical engineer;
- A member of the Electrical Contractors' Association;
- A member of the Electrical Contractors' Association of Scotland;
- A certificate holder of the National Inspection Council for Electrical Installation Contracting; or
- A qualified person acting on behalf of one of these (in which case it should be stated for whom he is acting).

The frequency of inspection specified above may be reduced to such longer period as may be recommended by one of the foregoing persons.

The Licensee shall make arrangements to obtain from such person within 1 month of such an inspection an inspection certificate in the form prescribed in the IEE Wiring Regulations to be retained by the site operator and displayed with the site licence. The cost of the inspection and report shall be met by the site operator.

10. Water Supply

A water supply of adequate quantity and quality shall be readily accessible at all times on or adjacent to the site for use by the occupants of the caravans.

11. Drainage and Sewage Disposal

The Licensee shall make adequate arrangements to be approved by the Council for the foul and surface water drainage of the caravans and site and for the disposal of foul sewage; and, where chemical closets are provided, a properly

11. Drainage and Sewage Disposal Cont.

designed disposal point for the contents of chemical closets be provided having an adequate supply of water for the cleaning of containers.

12. Sanitary and Washing Facilities

Sanitary conveniences in proper working order and easily accessible shall be available at all times for use by the occupants of the caravans, comprising, at least, either:-

- (i) one W.C. and one wash basin for females and one W.C. and one wash basin for males, or
- (ii) two chemical closets and one wash basin for females and two chemical closets and one wash basin for males.

13. Refuse Storage and Disposal

The Licensee shall provide at every caravan standing a suitable refuse bin and arrangements shall be made for the bins to be emptied regularly. Where the Borough Council undertakes collection of refuse arising at the Caravan Site, the Licensee shall be responsible for bringing all receptacles to a central point on the Caravan Site for emptying by the Council at such times as the Council collect refuse from the Caravan Site and, where a bulk refuse container is provided by the Council at the Caravan Site, for emptying the receptacles into the bulk refuse container.

14. Car Parking

Where the site layout permits parking of vehicles next to caravans to be allowed, there must be at least 3 metres (10 feet) of clear space between any two cars and any car and any caravan in separate occupation.

15. Site to be kept Clean and Tidy and Grass Cut

The Licensee shall see that all roads, footpaths, hardstandings, toilet blocks, laundries, cisterns, basins, sinks, gullies and drains are kept clean and in good order. The Licensee shall keep all parts of the Caravan Site and hedges, ditches and shrubberies thereon or abutting thereon in a clean and tidy condition and free from foul water and any offensive matter and waste or unwanted materials. The Licensee shall keep all grassed areas of the Caravan Site adequately cut and in a neat and tidy condition. The Licensee shall ensure that spaces under caravans are kept clear and unobstructed and that all parts of the Caravan Site are kept in such condition as not to harbour refuse or vermin.

16. Use only for Caravans or Specified Purposes

The Licensee shall not:-

- (i) use or allow the Caravan Site to be used for any purposes other than the stationing or storage of caravans except that the land may be used for the grazing of sheep or cattle when none of the caravans on the Caravan Site is used for human habitation;
- (ii) place or erect any structure or building or permit any structure or building to be placed or erected on the Caravan Site (other than a caravan) without the prior approval of the Council for the express purpose of this condition (whether or not such building is approved by the Council under the Building Regulations or any other statutory authority).

17. Landscaping

The Licensee shall, where required by the Council, carry out and maintain landscaping works in accordance with a scheme to be approved by the Council for the purposes of this licence.

18. Good Conduct and Supervision

The Licensee shall make and maintain adequate arrangements for the supervision of the Caravan Site so as to ensure observance of these conditions and the good conduct of the Caravan Site.

19. Display of Licence

A copy of this licence shall be displayed on the Caravan Site in some conspicuous place at all times when caravans are stationed on the Caravan Site for purposes of human habitation.

20. Additional Conditions (if any)

Dated this 1st (first) day of February 19 80 .

Signed
Director of Environmental Health
and Housing Services.
Authorised Officer.

Brook Square,
Scarborough.

SCARBOROUGH BOROUGH COUNCIL

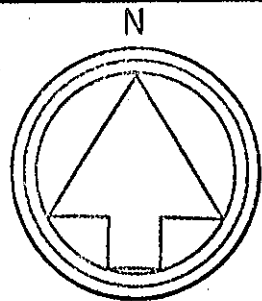
Department of Environmental Health & Housing Services
CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

This plan is that attached to Caravan Site Licence No. 12

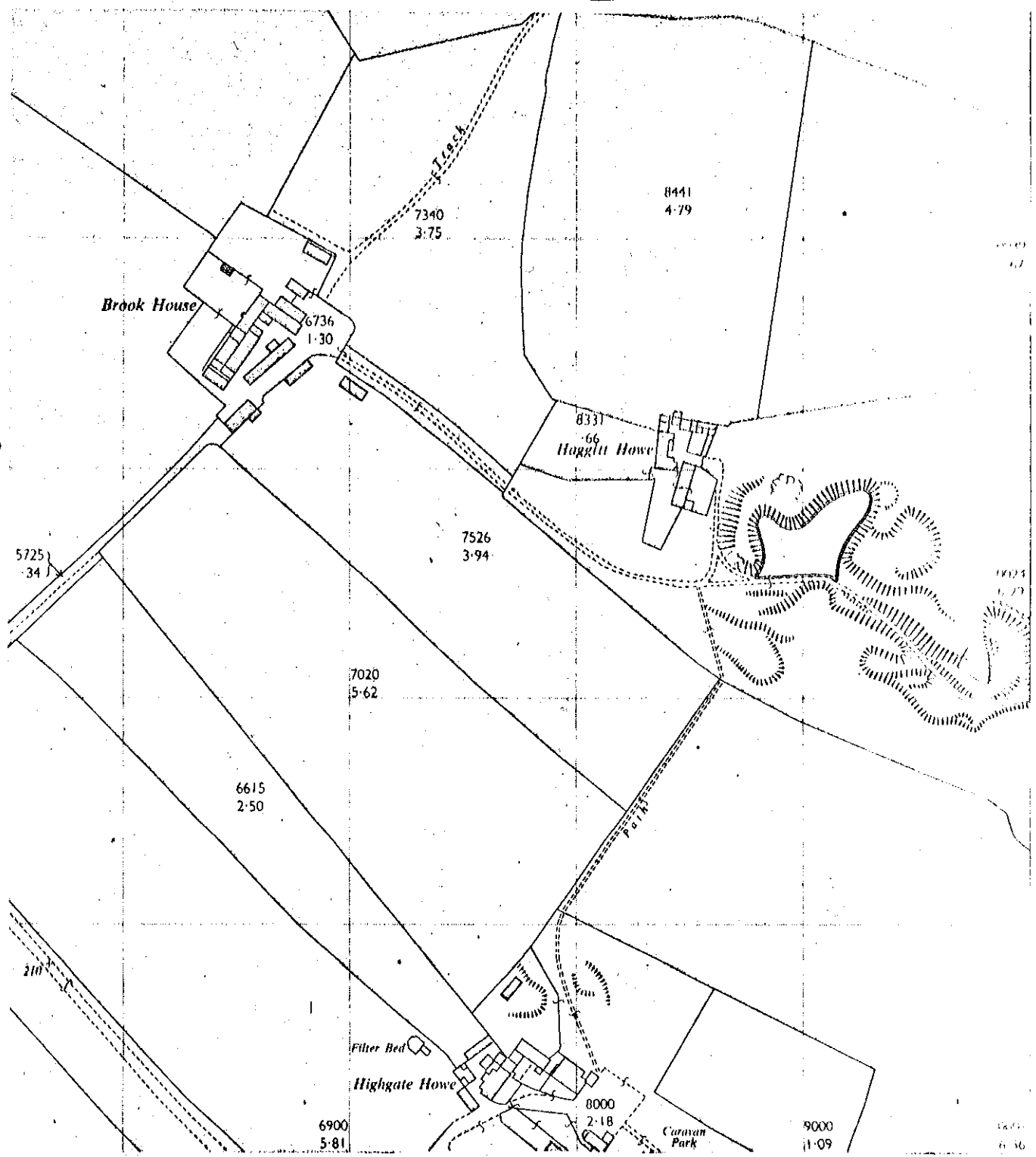
in respect of the caravan site known as Haggett Howe

and situated at Saltwick, Whitby

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SCALE 1/2500



SCARBOROUGH BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

CARAVAN SITE LICENCE

The SCARBOROUGH BOROUGH COUNCIL (hereinafter called "the Council") under and for the purpose of Part 1 of the Caravan Sites and Control of Development Act 1960 hereby licenses **DA, O and LJ Trotter, of Highgate Howe Holiday Home Park, Hawsker, Whitby, YO22 4JY** (hereinafter referred to as "the Licensees") being the occupier of the land situated at **Haggit Howe Farm, Saltwick, Whitby, YO22 4JX** defined edged red on the plan attached to this licence and known as **Haggit Howe Caravan Site** (hereinafter referred to as "the Caravan Site") to be used as a Caravan Site as defined in the said Act subject to the following conditions.

LICENCE CONDITIONS FOR STATIC CARAVAN AREA

1. Period of Use

No static caravan on the Caravan Site shall be used for human habitation other than during the period of the **1 March – 31 October** in any one year.

2. Number of Caravans

Not more than **SIX (6)** static holiday caravans shall be stationed on the Caravan Site at any one time.

3. Type and Condition of Caravans

The only caravans to be stationed on the Caravan Site shall be purpose-built trailer or self-propelled caravans not converted from a motor vehicle or structure originally designed for some other purpose. The Licensee shall ensure that each caravan on the Caravan Site is maintained in a clean condition and in a good state of repair and decoration.

4. Density

The gross density shall not exceed (60) caravans to a hectare of the useable land upon the site.

5. Roads and Footpaths

The Licensee shall provide and maintain in good repair roads having a hard and well-maintained surface so that no caravan or toilet block is more than 45 metres from a road. Each toilet block shall be connected to a road by a footpath with a hard surface maintained in good repair. Roads shall be not less than 4 metres wide or, if they form part of a one-way system, 2.75 metres wide. Footpaths shall be not less than 0.75 metres wide.

6. Hardstandings

Every caravan shall stand on a hardstanding of impervious material which shall extend over the whole area occupied by the caravan placed upon it and shall project not less than one metre outwards from each entrance to the caravan unless the caravans are removed from the caravan site during the period in which the site may not be used as a Caravan Site under Condition No. 1 of this Licence.

7. Liquefied Petroleum Gas

LPG storage supplied from tanks should comply with Guidance Booklet HSG 34 "The Storage of LPG at Fixed Installations" or where LPG is supplied from cylinders, with Guidance Note CS4 "The Keeping of LPG in Cylinders and Similar Containers" as appropriate (see Guidance Note attached). The Gas Safety (Installation and Use) Regulations 1994 also apply to LPG storage supplied from tanks.

Where there are metered supplies from a common LPG storage tank, then Guidance Note CS11 "The Storage and Use of LPG at Metered Estates" provides further guidance. In this case and where a British Gas Mains Supply is available, then the Gas Safety (Installation and Use) Regulations 1998 and the Pipelines Act 1962 may also be applicable.

Exposed gas bottles or cylinders should not be within the separation boundary of an adjoining unit where there is only the minimum separation distance between the units.

LPG installations should conform to British Standard 5482 "Code of Practice for Domestic Butane and Propane Gas Burning Installations, Part 2 : 1977 Installations in Caravans and Non-permanent Dwellings".

For main gas supply, the 1998 Regulations will be relevant for the installation downstream of any service pipe(s) supplying any primary meter(s) and such service pipes are subject to the Gas Safety Regulations 1972.

In cases where the site owner supplies gas to caravans on the site, he may need an authorisation to do so from OFGAS under the Gas Act 1986.

8. Electrical Installation

The Licensee shall provide an electricity supply sufficient in all respects to meet all reasonable demands of the electrical installations on the site.

Such electrical installations other than Electricity Board works and circuits subject to regulations made by the Secretary of State for Energy, under Section 16 of the Energy Act 1983 and Section 64 of the Electricity Act 1947, shall be installed and maintained in accordance with the requirements of the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (the IEE Wiring Regulations) for the time being in force and, where appropriate, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1988, SI 1988 No. 1057.

The Licensee shall ensure that such electrical installation is inspected not less than once in every 12 months (in the case of underground installations 3 years) by a person who shall be one of the following:-

A professionally qualified electrical engineer;

A member of the Electrical Contractors' Association;

A member of the Electrical Contractors' Association of Scotland;

A certificate holder of the National Inspection Council for Electrical Installation Contracting; or

A qualified person acting on behalf of one of these (in which case it should be stated for whom he is acting).

The frequency of inspection specified above may be reduced to such longer period as may be recommended by one of the foregoing persons.

The Licensee shall make arrangements to obtain from such person within 1 month of such an inspection an inspection certificate in the form prescribed in the IEE Wiring Regulations to be retained by the site operator and displayed with the site Licence. The cost of the inspection and report shall be met by the site operator. If inspection reveals that an installation no longer complies with the latest version of the IEE Wiring Regulations then all deficiencies shall be rectified.

9. Water Supply

The Licensee shall provide a water supply of adequate quantity and quality complying with British Standard Code of Practice CP 310 (1952) at water standpipes so that no caravan is situated more than 54 metres from a water standpipe. A trapped gully draining to an adequate drainage system or soakway shall be provided at each water standpipe.

10. Drainage and Sewage Disposal

The Licensee shall:-

- (i) Make satisfactory provision for foul drainage either by connection to a public sewer or by discharge to a properly constructed septic tank, cess pool or other adequate sewage treatment system; and
- (ii) Provide properly designed disposal points for the contents of chemical closets with an adequate supply of water for cleaning containers; and
- (iii) Provide waste water disposal points separate from but adjacent to water standpipes so that no caravan is sited more than 54 metres from a waste water disposal point.
- (iv) Adequate surface water drainage for carriage-ways, footpaths, paved areas and for the site generally shall be provided to the satisfaction of the Council.

11. Sanitary and Washing Facilities

The Licensee shall provide and maintain in positions to be approved by the Council for the purposes of this Licence toilet blocks providing the following accommodation:-

For Males - 1 W.C. and 1 urinal and 1 wash basin per 15 caravans;

For Females - 2 W.C.s and 1 wash basin per 15 caravans;

1 shower or bath for each sex per 20 caravans

Toilet blocks shall be provided with adequate water supplies and wash basins, and baths / showers with a constant supply of hot and cold water or hot water at a suitably controlled temperature.

Toilet blocks shall be so sited and provided that no caravan is more than 95 metres from a toilet block.

12. Individually Serviced Caravans

Where every caravan on the Caravan Site is provided with:-

- (i) A water supply of adequate quantity and quality complying with British Standard Code of Practice CP310 (1952);
- (ii) A wash basin, sink and fixed bath or shower each provided with a constant supply of hot and cold water or hot water at a suitably controlled temperature;
- (iii) A water closet; and
- (iv) Adequate provision, to the satisfaction of the Council, for foul drainage and the disposal of waste water;

then the undermentioned requirements of the conditions attached to this Licence shall not apply:-

- (a) In Condition No. 9, the requirement for water standpipes other than standpipes providing water for fire fighting purposes.
- (b) In Condition No. 10, the requirement for disposal points for chemical closets and waste water.
- (c) Condition No. 11 requiring the provision of communal sanitary and washing facilities.
- (d) Condition No. 13 requiring the provision of communal laundry facilities.

Where some of the caravans on the Caravan Site are not provided with all the facilities listed at (i), (ii), (iii) and (iv) above, then the requirements for communal facilities detailed at (a), (b), (c) and (d) above shall apply pro rata to the total number of such caravans on the Caravan Site.

13. Laundry Facilities

The Licensee shall provide laundry facilities in a separate room on the scale of not less than 1 deep sink with running hot and cold water per 30 caravans.

14. Refuse Storage and Disposal

The Licensee shall provide suitable and sufficient refuse bins and arrangements shall be made for the bins to be emptied regularly. Where the Borough Council undertakes collection of refuse arising at the Caravan Site, the Licensee shall be responsible for bringing all receptacles to a central point on the Caravan Site for emptying by the Council at such times as the Council collect refuse from the Caravan Site and, where a bulk refuse container is provided by the Council at the Caravan Site, for emptying the receptacles into the bulk refuse container.

15. Car Parking etc.

The Licensee shall provide suitable surfaced parking places with space for at least one car for every three caravans. Where the site layout permits, the Licensee may allow parking of vehicles next to caravans. Any door to a caravan or ancillary structure shall not be obstructed by any vehicle so parked.

16. Recreation Space

Space equivalent to one-tenth of the total area of the Caravan Site shall be allocated for children's games and other recreational purposes, in a position or positions to be approved by the Council for the purposes of this Licence.

17. Site to be kept Clean and Tidy and Grass Cut

The Licensee shall see that all roads, footpaths, hardstandings, toilet blocks, laundries, cisterns, basins, sinks, gullies and drains are kept clean and in good order. The Licensee shall keep all parts of the Caravan Site and any hedges, ditches and shrubberies thereon or abutting thereon in a clean and tidy condition and free from foul water and any offensive matter and waste or unwanted materials. The Licensee shall keep all grassed areas of the Caravan Site adequately cut and in a neat and tidy condition. The Licensee shall ensure that spaces under the caravans are kept clean and unobstructed and that all parts of the Caravan Site are kept in such condition as not to harbour refuse or vermin.

18. Use only for Caravans or Specified Purposes

The Licensee shall not:-

- (i) use or allow the Caravan Site to be used for any purpose other than the stationing or storage of caravans except that the land may be used for the grazing of sheep or cattle when none of the caravans on the Caravan Site is used for human habitation.
- (ii) place or erect any structure or building or permit any structure or building to be placed or erected on the Caravan Site (other than a caravan) without prior approval of the Council for the express purpose of this condition

(whether or not such building is approved by the Council under Building Regulations or any other statutory authority).

19. Landscaping

The Licensee shall, where required by the Council, carry out and maintain landscaping works in accordance with a scheme to be approved by the Council for the purposes of this Licence.

20. Good Conduct and Supervision

The Licensee shall make and maintain adequate arrangements for the supervision of the Caravan Site so as to ensure observance of these conditions and the good conduct of the Caravan Site.

21. Telephones

An immediately accessible telephone should be available on the site for calling the emergency services, at all times. A notice by the telephone should include the address of the site.

22. Notices

A copy of this Licence shall be displayed on the Caravan Site in some conspicuous place at all times when the caravans are stationed on the Caravan Site for purposes of human habitation.

Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should show where the police, fire brigade, ambulance and local doctors can be contacted and the location of the nearest public telephone. The notices should also give the name and location/telephone number of the site licence holder or his/her accredited representative. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.

All notices should be suitably protected from the weather and displayed where possible out of the direct rays of the sun, preferably in areas lit by artificial lighting.

Dated: 8th October 2020

Signed.....

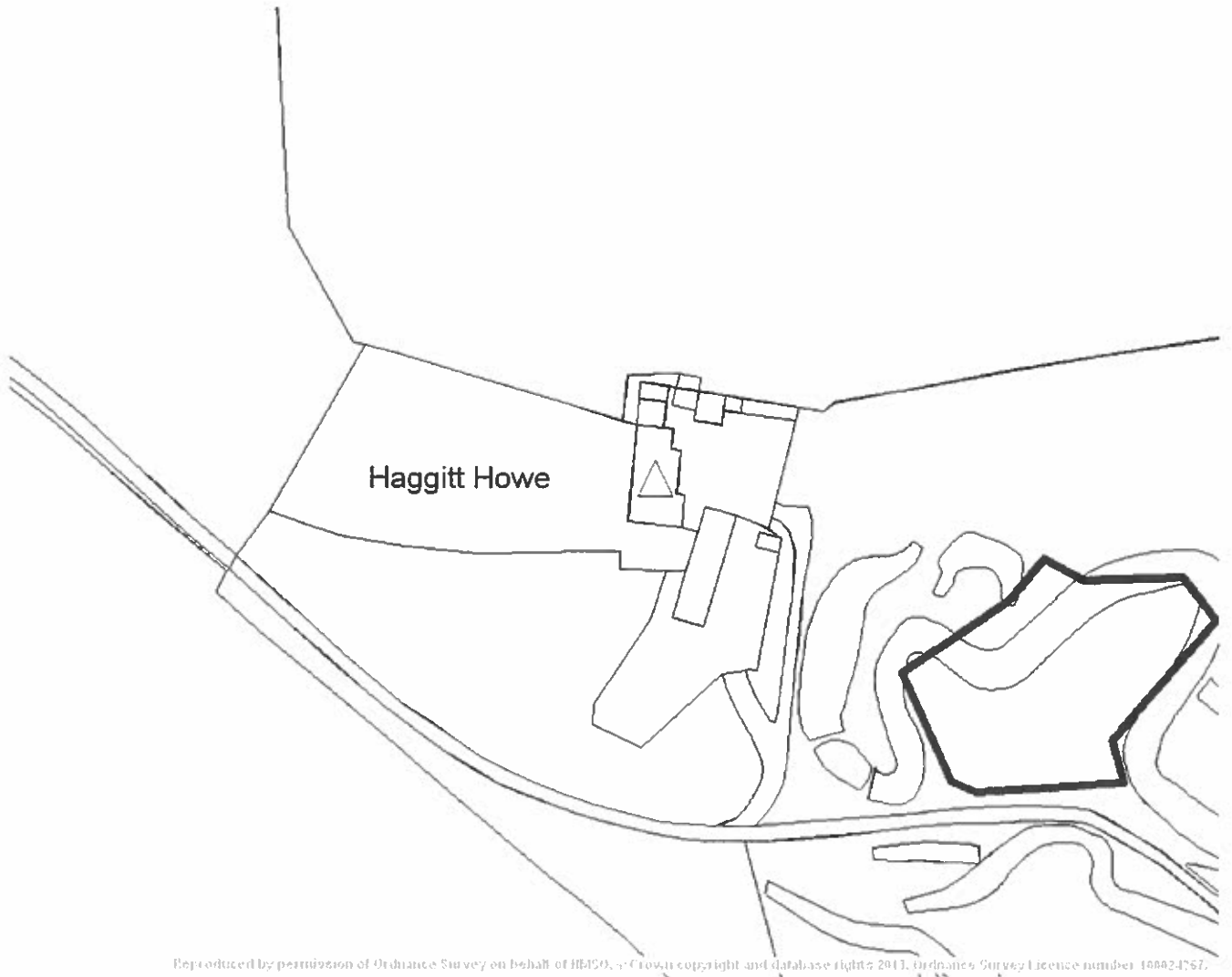
A Head of Environmental Services
(Authorised Officer)

Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

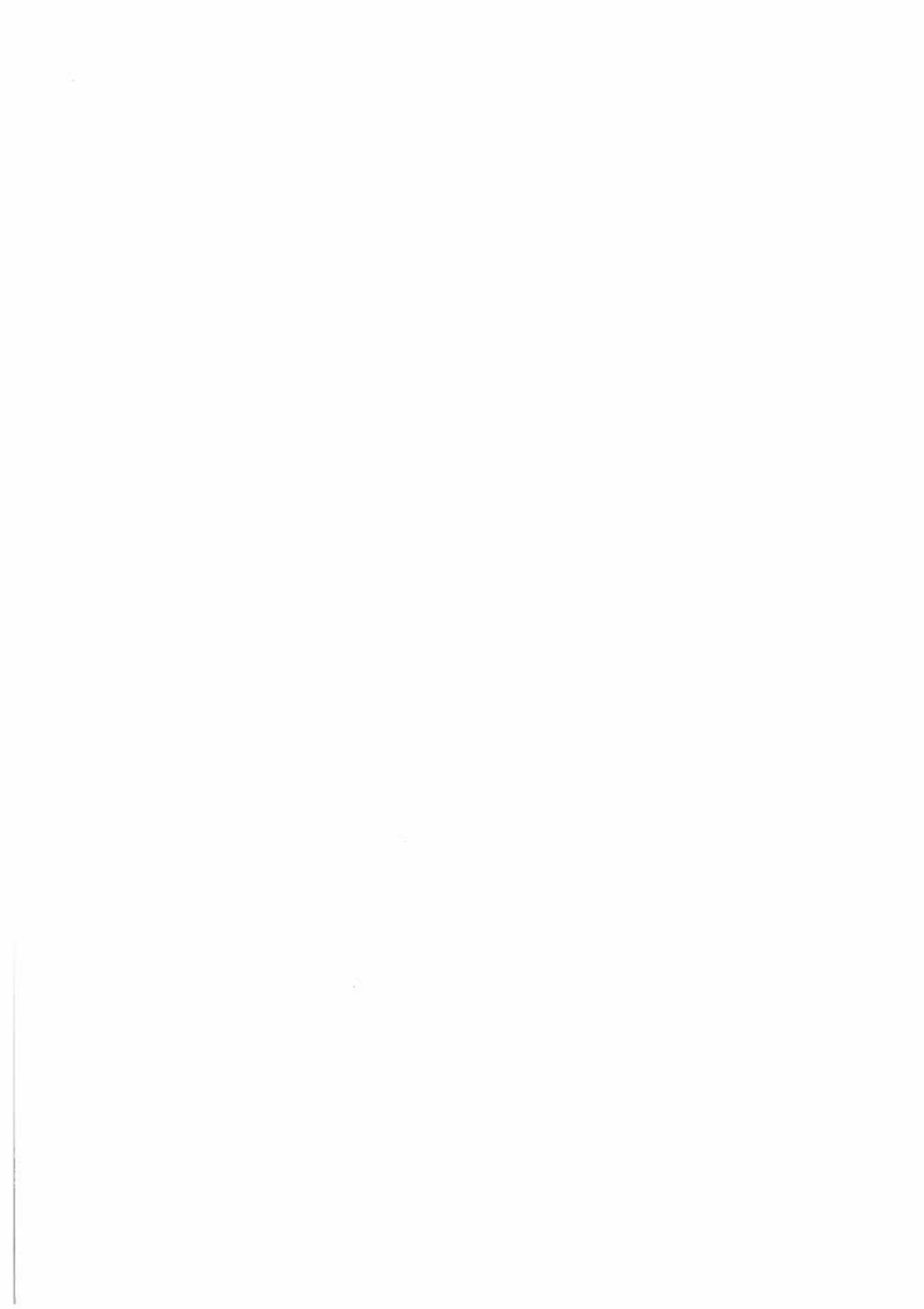
SCARBOROUGH BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

This plan is that attached to Caravan Site Licence Number **037** in respect of land situated at **Haggitt How Farm, Saltwick, Whitby**; and known as **Haggitt Howe Caravan Site**. The red line represents the site boundary.



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Scarborough Borough Council

P.O. Box 147, Town Hall, St. Nicholas Street, Scarborough, YO11 2ZG

Account Reference

1009098527

NATIONAL NON DOMESTIC RATE BILL 2017/18

Date of Issue 06-MAR-2017

Reason For Bill : Annual

MR BC DIXON
BROOKE HOUSE
SALTWICK BAY
WHITBY
YO22 4JX



98261751070010090985276

Rateable Value	Rate Poundage	Annual Charge
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HAGGIT HOWE FARM CARAVAN SITE		
SALTWICK BAY	2800	0.4660
WHITBY		0.4790
NORTH YORKSHIRE		1304.80
YO22 4JX		1341.20

Address of Property

Parish: 330
Description: CARAVAN PARK & PREMISES
Rateable Value: 2800
Property Reference: 133064450510

Charge For Period	R V	2800	01-APR-2017	31-MAR-2018	1304.80
Transitional Relief For Period			01-APR-2017	31-MAR-2018	-138.48

1166.32

First instalment due on 01-APR-2017

1 X 1166.32

INSTALMENTS TO BE PAID BY:CASH PAYMENTS ANNUALLY

CHOOSE DIRECT DEBIT TO PAY YOUR BUSINESS RATES - COMPLETE MANDATE OVERLEAF.