

**Town and Country Planning Act 1990**  
**North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development**

To: Mr. Kieran Robinson  
c/o Lambe Planning and Design Ltd  
fao: Mr Jonathan Moore Lambe  
The Galeri  
Victoria Dock  
Caernarfon  
Gwynedd  
LL54 5EE

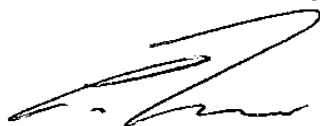
The above named Authority being the Planning Authority for the purposes of your application validated 27 July 2022, in respect of proposed development for the purposes of **reorganisation of northern section of the existing caravan site to allow for 48 lodges (increase of seven) and associated access arrangement at Lady Cross Plantation Caravan Park, Egton** has considered your application and has **granted** permission for the proposed development subject to the following:

**Condition(s):**

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Document No.	Date Received
Amended site layout plan	LC/MP1.2	10/10/2022
BNG Location Plan	LP/1.3	03/05/2023
Prestige Casa da Lusso Lodge	S6587 ED	03/05/2023
Proposed Lodge designs (previously approved)		03/05/2023
4 Bella Vista		03/05/2023
Havana Central Lounge Plan and elevations	210177 Rev B	03/05/2023
Additional drainage details	14491 series	09/06/2023
3. The holiday units hereby permitted shall form and remain part of the Ladycross Plantation Caravan Park planning unit managed by the occupiers of the main house on the site.
4. The timber lodges hereby approved shall only be occupied in accordance with the following criteria:
  - (i) the timber lodges are occupied for holiday purposes only;
  - (ii) the timber lodges shall not be occupied as a person's sole, or main place of residence;
  - (iii) 7 of the 48 lodges hereby approved shall not be let to the same person, group of persons or family for period(s) exceeding a total of 28 days in any one calendar year.
  - (iv) the site operator shall maintain an up-to-date register of the names of all owners/occupiers of individual timber lodges on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Continued/Condition(s)



Mr C M France  
Director of Planning

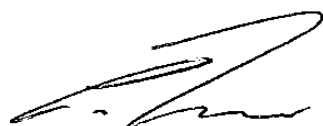
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5. No fences, buildings or ancillary structures, with the exception of those shown on the approved plans, shall be erected on the pitches or in the surrounding area.
6. The existing woodland between the boundaries of the site and the development shall be retained and managed by the owners and operators of the caravan site, so as to allow natural regeneration.
7. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant, and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
8. No development shall take place until details of the proposed means of disposal of pumped foul water drainage for the whole site have been submitted to and approved by the Local Planning Authority. Furthermore, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works , which are to be agreed by the statutory sewerage undertaker .
9. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
10. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority .
11. The mitigation measures included in the revised EclA (ref 220282/EclA/Lodge/Rev 2 Dated 19/03/2023) shall be be implementedand maintained in accordance with the approved details for a period of 30 years from the date of this permission.
12. No work shall commence to clear the site in preparation for the development hereby permitted until a Biodiversity Enhancement Management Plan has been submitted and approved by the Local Planning Authority. This plan shall provide in depth detail as to how the habitats will be created, and a Habitat Monitoring and Management Plan, which shall provide information on how the habitats will be managed and monitored for the next 30years. The approved BEMP shall be implementedand maintained in accordance with the approved details.
13. Prior to the commencement of development, an arboricultural impact assessment, tree protection plan, and arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. A high standard of arboricultural care to be demonstrated at all stages and meet or exceed the requirements of BS5837 and NJUG 4. This is essential to protect both the ecological and amenity value of the retained habitats and to ensure that trees can be retained safely in the longer term. The approved plans shall be implementedand maintained in accordance with the approved details.

Continued/Condition(s)



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14. The development must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:  
The crossing of the highway verge must be constructed in accordance with the approved details and the following requirements.
- Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing towards the highway
  - Measures to enable vehicles to enter and leave the site in a forward gear.
- All works must accord with the approved details.
15. The southern access should be prohibited from vehicles towing caravans using it.
16. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.  
The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:
- restriction on the use of the proposed southern access for construction purposes:
  - vehicles entering and exiting the site should be controlled to avoid meeting each other between the public highway and the open field to avoid head to head situations where one vehicle will have to reverse to allow the other one through.
17. There must be no access or egress by any vehicles between the highway and the application site until splays are provided giving clear visibility of 215 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 1.05 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

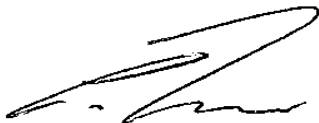
**Informative(s)**

1. An explanation of the terms used above is available from the Local Highway Authority.

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

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

Continued/Reason(s) for Condition(s)



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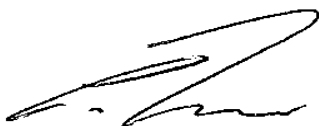
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2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3. The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Strategic Policy M of the North York Moors Local Plan.
4. The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan, but the accommodation has been permitted in this instance to meet the specific needs of the business operating from the site in accordance with Policy BL4 of the Local Plan.
5. For the avoidance of doubt and to ensure the details of the development together with any subsequent insignificant variations as may be approved in writing, comply with the provisions of Strategic Policy A and C of the NYM Local Plan.
6. In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
7. In order to comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents and to preserve and enhance the National Park's Dark Night Skies, in accordance with Policy ENV4.
- 8 – 10. To avoid pollution of watercourses and to comply with the provisions of Policy ENV7 of the North York Moors Local Plan, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
- 11 & 12. In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
13. In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
14. To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.
15. In the interests of highway safety.
16. In the interests of highway safety and the amenity of the area.
17. In the interests of highway safety.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including the omission of the southern section of the proposals, so as to deliver sustainable development.



Mr C M France  
Director of Planning

Date 15 August 2023

Please Note your Rights of Appeal are attached to this Decision Notice

## Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
- refuse an application for planning permission or grant it subject to conditions;
  - refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
  - refuse an application for any approval required under a development order

they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

**Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)**

### Notes

- Please note, only the applicant possesses the right of appeal.
- No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
- In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.