

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

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

To: Mr & Mrs McAndrew  
c/o Bell Snoxell Building Consultants Limited  
fao: Louis Stainthorpe  
Mortar Pit Farm  
Sneatonthorpe  
Whitby  
YO22 5JG

The above named Authority being the Planning Authority for the purposes of your application validated 04 September 2023, in respect of proposed development for the purposes of **variation of condition 2 (material amendment) of planning approval NYM/2021/0595/FL to allow alterations to fenestration, door position, rooflights and addition of flue together with removal of condition 4 which requires a solar control film to be applied to the glazing at Bugle Cottage, Egton** has considered your application and has **granted** permission for the proposed development subject to the following:

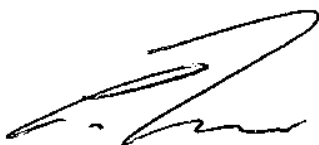
**Condition(s):**

1. The development hereby permitted shall be commenced before the 28 October 2024.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>
Ground Floor Plan	Sheet no 5 Rev B	31 August 2023
First Floor Plan	Sheet no 6 Rev B	31 August 2023
Proposed Elevations	Sheet no 7 Rev B	31 August 2023
Proposed Elevations	Sheet no 8 Rev B	31 August 2023
Revised Window Details	Quotation doc.	15 October 2021
Proposed Stables	ST10	28 July 2021

3. All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.
4. There shall be no commercial use of the stable hereby permitted and it shall be used only for the horses kept for hobby/domestic purposes ancillary to the occupation of the property known as Bugle Cottage and for no other purpose unless a separate grant of planning permission has first been obtained from the Local Planning Authority.
5. The external timber cladding of the stable building hereby approved shall be stained dark brown or left to weather naturally and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Continued/Condition(s)



Mr C M France  
Director of Planning

Date 30 October 2023

**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**

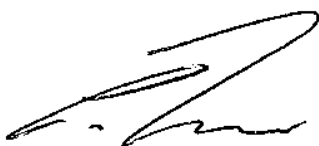
6. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
7. All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity.

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

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
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. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4. In order to comply with Policy CO20 of the North York Moors Local Plan which seeks to ensure that proposals for stables are well related to a domestic curtilage and to enable the Local Planning Authority to control any commercial use of the stables which could give rise to conditions detrimental to the special qualities of the National Park and the residential amenities of adjoining occupiers which would be contrary to Strategic Policy A of the Local Plan.
5. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6. In accordance with Policy ENV4 which seeks to protect dark night skies.
7. For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.



Mr C M France  
Director of Planning

Date 30 October 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.