

**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 and Mrs Coop  
c/o Stone and Associates Architects Ltd  
fao: Ashley Line  
The Studio  
7b Saville Street  
Malton  
YO17 7LL

The above named Authority being the Planning Authority for the purposes of your application validated 16 October 2023, in respect of proposed development for the purposes of **demolition of greenhouse and outbuilding and construction of replacement greenhouse, together with construction brick walled garden, terrace and log store at Thorpe Hall, Middlewood Lane, Fylingthorpe** has considered your application and has **granted** permission for the proposed development subject to the following:

**Condition(s):**

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

<b>Document Description</b>	<b>Rev. No.</b>	<b>Date Received</b>
Proposed Plans	B	12 December 2023
Proposed Elevations	B	06 December 2023
Supporting Information	-	16 October 2023
Material Samples	-	11 December 2023
3. The development hereby permitted shall be used for domestic storage or enjoyment incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation. Any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
4. All new brick used in the development hereby permitted shall be handmade or reclaimed brick.
5. The stone boundary walls hereby permitted shall be constructed in natural stone which shall be coursed and jointed in the local tradition so as to match the main dwelling on site.
6. The framing of the greenhouse hereby permitted shall be comprised of timber or aluminium and should be maintained in that condition in perpetuity.
7. No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Skies compliant and no other lighting shall be installed on the site. All lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.

Continued/Informative(s)



Mr C M France  
Director of Planning

Date 13 December 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**

**Informative(s)**

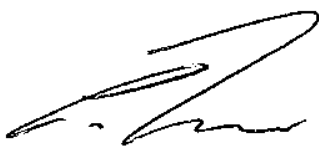
1. Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the Listed Building consent.

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

1. To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) 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. In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would be likely to adversely affect the amenities of existing and future occupiers of the site and to accord with the provisions of Policy CO17 of the North York Moors Local Plan.
- 4 – 6. 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 building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
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.

**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 13 December 2023

## 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.