

**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 Butterfield
c/o Edwardson Associates
fao: Melanie Edwardson
Paddock House
10 Middle Street South
Driffield
East Yorkshire
YO25 6PT

The above named Authority being the Planning Authority for the purposes of your application validated 15 November 2023, in respect of proposed development for the purposes of **change of use of land to provide an additional 12 no. touring caravan pitches to existing caravan site at Grouse Hill Caravan Park, Blacksmith Hill, Fylingdales** 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 approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.
3. The tourism accommodation hereby permitted shall be used only for holiday accommodation and shall not be used as the main residence of any of the occupiers. No caravans shall be on site during the month of February and no caravan shall be occupied by the same group of persons or family for a consecutive period exceeding a total of 28 days.
4. No more than twelve touring caravans shall be stationed on the land at any time, and no other type of accommodation shall be sited at any time.
5. No external lighting shall be installed in the development hereby permitted.
6. The mitigation and enhancement measures included in the Ecological and Biodiversity Enhancement Report dated January 2024 report shall be undertaken in accordance with the submitted details with the addition of: -
 - i) the hedgerow be planted with a minimum of four different woody species per a single 30meter section and with no herbicide applied to the hedge base once the hedgerow plants are away.
 - ii) within three months of the date of the permission hereby approved being first brought into use, details of the location of the proposed bat and bird boxes shall be submitted to and approved by the Local Planning Authority.
The works shall be implemented in accordance with the approved details and shall be maintained in that manner in perpetuity.

Continued/Informative(s)



Mr C M France
Director of Planning

Date 01 March 2024

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Informative(s)

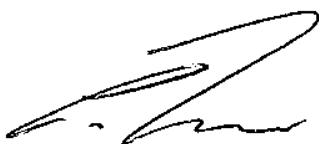
1. If non mains foul drainage is the only feasible option an Environmental Permit may be required. This must be obtained from the Environment Agency before any discharge occurs and before any development commences. This process can take up to four months to complete and it cannot be guaranteed that a Permit will be granted. The applicant should contact the Environment Agency on 03708 506 506 for further details on Environmental Permits or visit the [Environment Agency's web site](#).

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. In order to ensure that the caravans and associated levels of activity are not occupied on a year round basis when tree cover is minimal and in order to comply with Strategic Policy A of the North York Moors Local Plan.
4. In order to ensure that the caravans and associated levels of activity are not occupied on a year round basis when tree cover is minimal and in order to comply with Strategic Policy A of the North York Moors Local Plan.
5. In order to enable the Local Planning Authority to protect dark night skies; in accordance with Policy ENV4.
6. To enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).

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 01 March 2024

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

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.