

**Town and Country Planning Act 1990: Sections 191 and 192
(as amended by Section 10 of The Planning and Compensation Act 1991)**

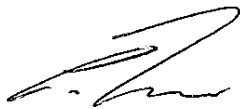
North York Moors National Park Authority

**Town and Country Planning (Development Management Procedure) Order 2015:
Certificate of Lawful Use or Development**

To Burgess Group PLC
fao: Mr Thomas Roberts
Victory Mill
Thornton le Dale
YO18 7RT

The North York Moors National Park Authority hereby certify that on **18 January 2024** the operation described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate was lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:

1. The proposed use of land, as described in the application, is not considered to be a form of development that requires planning permission.



Mr C M France
Director of Planning

Date 08 March 2024

First Schedule

certificate of lawfulness to confirm that the use of the existing car park as a public pay and display car park does not amount to a material change of use (resubmission following withholding of certificate under reference NYM/2023/0574)

Second Schedule

car park at Victory Mill, Thornton le Dale

Notes

- 1 This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
- 2 It certifies that the use or operation specified in the First Schedule on the land described in the Second Schedule would be lawful on the specified date.
- 3 This certificate applies only to the extent of the use or operation described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use or operation which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
- 4 The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

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

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. 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.

Plan to Accompany Certificate of Lawful Use Town and Country Planning Act 1990: Sections 191 and 192 (as amended by Section 10 of The Planning and Compensation Act 1991)

certificate of lawfulness to confirm that the use of the existing car park as a public pay and display car park does not amount to a material change of use (resubmission following withholding of certificate under reference NYM/2023/0574)

Scale: 1:1250



car park at Victory Mill, Thornton le Dale

North York Moors National Park Authority
The Old Vicarage

NYM/2024/0053

