

**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: GHL (Whitby) Limited  
c/o NTR Planning  
fao: Mr Niall Roberts  
118 Pall Mall  
London  
SW1Y 5EA

The above named Authority being the Planning Authority for the purposes of your application validated 22 December 2023, in respect of proposed development for the purposes of **alterations to the hotel facade comprising additional dormer windows, changes to the recessed roof terraces and additional roof plant, installation of glazed rooflight to conservatory and alterations to the spa facade at Raithwaite Estate, Sandsend Road, Whitby** has considered your application and has **granted** permission for the proposed development subject to the following:

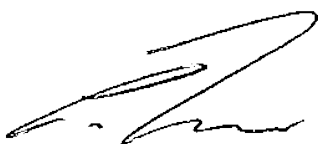
**Condition(s):**

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
Proposed Block Plan	S1 P01 Sheet 00500	27/02/2024
Proposed elevation (1of 2)	S1 P02 Sheet 00210	27/02/2024
Proposed elevation (2of 2)	S1 P02 Sheet 00211	27/02/2024
Proposed Spa Café	S1 P02 Sheet 00305	27/02/2024
Proposed Bar Glazed Roof	S1 P02 Sheet 00303	27/02/2024
Design Development And Proposal Document	---	27/02/2024
3. 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.

**Informative(s)**

1. Please note that the footpath situated adjacent to the development site hereby approved must be kept free from obstruction and open for use at all times before, during and after any works.



Mr C M France  
Director of Planning

Date 14 March 2024

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

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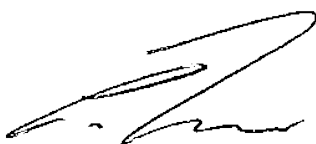
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**Reason(s) for Condition(s)**

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 enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with North York Moors Local Plan Strategic Policies A and C, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development that does not detract from the quality of life of local residents; in accordance with Policy ENV4 which seeks to protect dark night skies.

**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 improvements to glazing and lighting, so as to deliver sustainable development.



Mr C M France  
Director of Planning

Date 14 March 2024

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## Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
  - a) refuse an application for planning permission or grant it subject to conditions;
  - b) 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
  - c) 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

1. Please note, only the applicant possesses the right of appeal.
2. 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.
3. 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.
4. 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.
5. 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.