

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: Mrs Samantha Pearson
Red House
Thorpe Lane
Fylingthorpe
YO22 4TH

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The above named Authority being the Planning Authority for the purposes of your application validated 12 May 2017, in respect of proposed development for the purposes of **variation of condition 1 of planning permission NYM/2014/0583/OU to allow holiday use for a further three years at Red House, Thorpe Lane, Fylingthorpe**, has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

1. The permission hereby granted is valid only for three years from the date of this permission and the use shall be discontinued and the site restored to its former condition before this consent expires.
2. The development hereby permitted shall not be carried out other than in strict accordance with the documents approved under planning permission reference NYM/2014/0583/CU or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. Notwithstanding the provisions of Class B, Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that order, no development required by the conditions of a site license shall be permitted without the granting of planning permission by the Local Planning Authority.
4. The use of the wagons shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.
5. The consent hereby granted relates to the use of land for the siting of 2 no. Gypsy Wagons for Holiday Use from 01 April to 31 October in the same year only. There shall be no use of the wagons for holiday purposes during the closed season.
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. This permission relates to the siting of traditional style bow top gypsy wagons for holiday use only. The wagons shall not be replaced with any other structure for holiday use without first obtaining prior written consent from the Local Planning Authority.
8. The gypsy wagons subject of this permission shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Continued/Conditions



Mr C M France
Director of Planning

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Date 07 JUL 2017

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2017/0348/FL

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Conditions (Continued)

9. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on the parking plan approved under NYM/2014/0583/CU for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
10. No trees, shrubs or hedges within or on the boundaries of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reasons for Conditions

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 NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. In order to enable the Local Planning Authority to retain control over future buildings at the site in the interests of safeguarding the landscape character of the locality and in line with NYM Core Policy A and NYM Development Policy 16, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
4. The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling.
5. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
6. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
7. In order to enable the Local Planning Authority to retain control over the size and form of caravan located on the site and to comply with the provisions of NYM Core Policy A which seeks to protect the landscape quality of the National Park.
8. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.
9. In accordance with NYM Development Policy 23 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

Continued/Reasons for Conditions



Mr C M France
Director of Planning

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Reasons for Conditions (Continued)

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10. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Mr C M France
Director of Planning

Date **07 JUL 2017**

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