

**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 General Development Order 1995:

Certificate of Lawful Use or Development


To Mr Graham Allison
c/o Edwardson Associates
Paddock House
10 Middle Street South
Driffield
East Riding of Yorkshire
YO25 6PT

COPY

The North York Moors National Park Authority hereby certify that on **23 November 2011** 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 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

Proposed use of land as a holiday caravan site without restriction on number of caravans or their siting subject to the following conditions:

1. No caravans on the site shall be used for human habitation during the month of February in any one year.
2. No caravan on the site shall be used for residential purposes other than for temporary holiday letting accommodation. For the purpose of this condition 'holiday accommodation' means occupation by the same person, group of persons or family for periods not exceeding a total of 21 consecutive days at any time. At no time shall any caravan be occupied as the primary or sole residence of any person or family.
3. The play area used for the siting of play equipment shall be restricted to the site indicated on the plan received at the National Park Authority on 9th November 1987 and outside the specified area no play equipment or other permanent structure shall be sited.



Mr C M France
Director of Planning

COPY

Date **30 OCT 2014**

First Schedule

The use of land described in the Second Schedule as a caravan site for a period in excess of 10 years.

Second Schedule

Flask Inn Holiday Home Park, Fylingdales

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

Continuation of Decision No. NYM/2011/0817/CLP

Notes

- 1 This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
- 2 It certifies that the operation specified in the First Schedule taking place on the land described in the Second Schedule was lawful on the specified date and, thus, was not liable to enforcement action under Section 172 of the 1990 Act on that date.
- 3 This certificate applies only to the extent of the operation described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any 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.

Notes

COPY

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 within six months of the date of this notice of decision, or within such longer period as the Secretary of State may allow. 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)

COPY

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

FOR: proposed use of land as a holiday caravan site without restriction on number of caravans or their siting

AT: Flask Inn Holiday Park
Fylingdales
YO22 4QH

NYM/2011/0817/CLP

Scale: 1:5000



North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley YO62 5BP
01439 772700

