

TOWN AND COUNTRY PLANNING ACT, 1990: SECTION 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 1988:
 ARTICLE 26A
 CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

To Mr and Mrs W Butterfield
 c/o Edwardson Associates
 Sedge House
 North Frodingham
 Driffield
 East Riding. YO25 8LA

RECEIVED 12 MAR 2004
 (Agew)

The North York Moors National Park Authority hereby certify that on 24 November 2003 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:

The development described in the first schedule has been carried on for more than 10 years.

V A Dilcock

Mrs V A Dilcock
 Chief Planning Officer

Date . . . 9 . MAR . 2004

NYMNP
 - 9 MAY 2012

First Schedule

The use of the main field as described in the second schedule for seasonal touring caravans between 1st March and 31st October in any one calendar year.

The use of the land described in the Second Schedule for the winter storage of caravans using the Grouse Hill Caravan Park on a seasonal basis.

Second Schedule

Main Field - Land at Grouse Hill Caravan Park outlined in blue on the plan attached to this Certificate.

Area of Winter Storage - Land at Grouse Hill Caravan Park outlined in red on the plan attached to this certificate.

Notes

- 1 This certificate is issued solely for the purpose of section 91 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.

Butterfield NYM / 2012 / 0307 / FL

Decision No. NYM/2011/0723/FL

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 Andrew Butterfield
c/o Edwardson Associates
Paddock House
10 Middle Street South
Driffeld
East Riding of Yorkshire YO25 6PT

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The above named Authority being the Planning Authority for the purposes of your application registered 31 October 2011, in respect of proposed development for the purposes of use of section of caravan park for the siting of 11 static caravans and 30 camping pods (revised scheme to NYM/2009/0648/FL) at Grouse Hill Caravan Park, Fylingdales has considered your said application and has granted permission for the proposed development subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in accordance with the application plans as amended by the plans received at the National Park Authority on the 1 December 2011, or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The static caravans hereby permitted shall be used only for holiday accommodation and shall not be used as the main dwelling of any of the occupiers. The caravans shall not be occupied during the month of February and the site operator shall maintain a register giving names and home addresses of any person who occupies any one of these static units for more than six calendar months in any year. That register shall be made available to the Local Planning Authority for inspection on request during normal office hours.
4. The camping pods hereby approved shall only be used as holiday accommodation and the floor plans and design shall be as shown on the plans submitted as part of this application. There shall be no changes made to the external appearance or internal layout without the prior approval of the Local Planning Authority and the external wooden cladding shall be left as natural wood or stained dark brown and so maintained.
5. The proposed colour and finish of the external cladding of the camping pods hereby approved shall be submitted to and approved by the Local Planning Authority prior to the siting of these pods on the site and thereafter the agreed external appearance and colour shall be maintained unless the further written agreement of the Local Planning Authority has been obtained to any changes.
6. The total combined number of static caravans, camping pods, and seasonal touring caravan/tent pitches on the site outlined in red on the submitted plans (Drawing no. B28/11/01) shall not exceed 335, with no more than 11 static caravans and 30 camping pods, without a further grant of planning consent. No unit shall be occupied during the month of February and all touring caravan pitches and tent pitches shall be vacated and left open during the month of February.

Mr C M France
Director of Planning

Continued/Conditions
- 9 MAY 2012
12 DEC 2011
Date:

DecisionApproveAgent

For the Rights of Appeal and Notes See Overleaf

NYM / 2012 / R 3 0 7 / FL

Continuation of Decision No. NYM/2011/0723/FL

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Conditions (Continued)

- 7. 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.
- 8. All hard and soft landscape works comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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 NYM Core Policy A and Development Plan Policy 3.
- 3 & 4. The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to provide facilities for visitors in line with NYM Development Policy 16.
- 5. To minimise the impact of these units on the appearance and character of this part of the National Park and to ensure compliance with NYM Core Policy A and Development Policy 16.
- 6. To maintain an appropriate mix of tents, touring caravans, static caravans and camping pod pitches so as to avoid pressures for the development of new caravan and camping sites and to avoid doubt and ensure compliance with NYM Core Policy A and Development Policy 16.
- 7. In order to comply with the provisions of NYM Core Policy A which seeks to protect the residential amenities of adjoining occupiers.
- 8. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.

Development Plan Policies Relevant to the Decision

Local Development Framework DP19 – Householder Development

Reason for Approval

The proposed development represents an improvement in the facilities provided by an existing well established caravan and camping site and would not have a detrimental impact on the immediate or wider landscape. The proposal is therefore in accordance with Development Policy 19 of the NYM Local Development Framework.

Mr C M France
Director of Planning

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NYM/NPA
- 9 MAY 2012

12 DEC 2011
Date