

**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 Robert David Page  
c/o Mr Geoffrey Noel Barrett  
Pinkney Grunwells Lawyers LLP  
Lion Chambers  
2 Golden Lion Bank  
Whitby  
North Yorkshire YO21 3BS

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The North York Moors National Park Authority hereby certify that on **9 May 2014** 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:

1. That the development described in the First Schedule has been carried out for more than 4 years and 10 years respectively.



Mr C M France  
Director of Planning

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Date **27 OCT 2014**

**First Schedule**

The description of the application should be modified in accordance with Section 191(4) of the Town and Country Planning Act 1990 and the lawfulness confirmed as:

- The operational development of the cage structures, shown green on the attached plan with the use of the cage structure being in accordance with the agricultural building in which they are built or ancillary to the keeping of dogs owned by the applicant and kept in accordance with condition 6 of the Planning Inspectors decision number APP/W9500/A/01/1071879 against decision number NYM4/034/0161D/PA.
- The dog grooming operation (parlour and exercise yard used in association with the grooming parlour and the access and parking for customers of the dog grooming operation) carried out in the area shown blue on the attached plan. The operation of the dog grooming for five days per week between Monday and Saturday between the hours of 8 am and 5 pm with a maximum number of dogs groomed per week being 13.
- The use of the covered yard shown yellow on the attached plan for the keeping of livestock in accordance with the approved agricultural use of the yard together with the exercising of dogs being groomed at the property otherwise in accordance with this certificate.

**Second Schedule**

Spring House, Hobbin Head Lane, Sleights

**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/2014/0318/CLE

**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.

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## 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 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)**

or online at [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)

3. Please note, only the applicant possesses the Right of Appeal.

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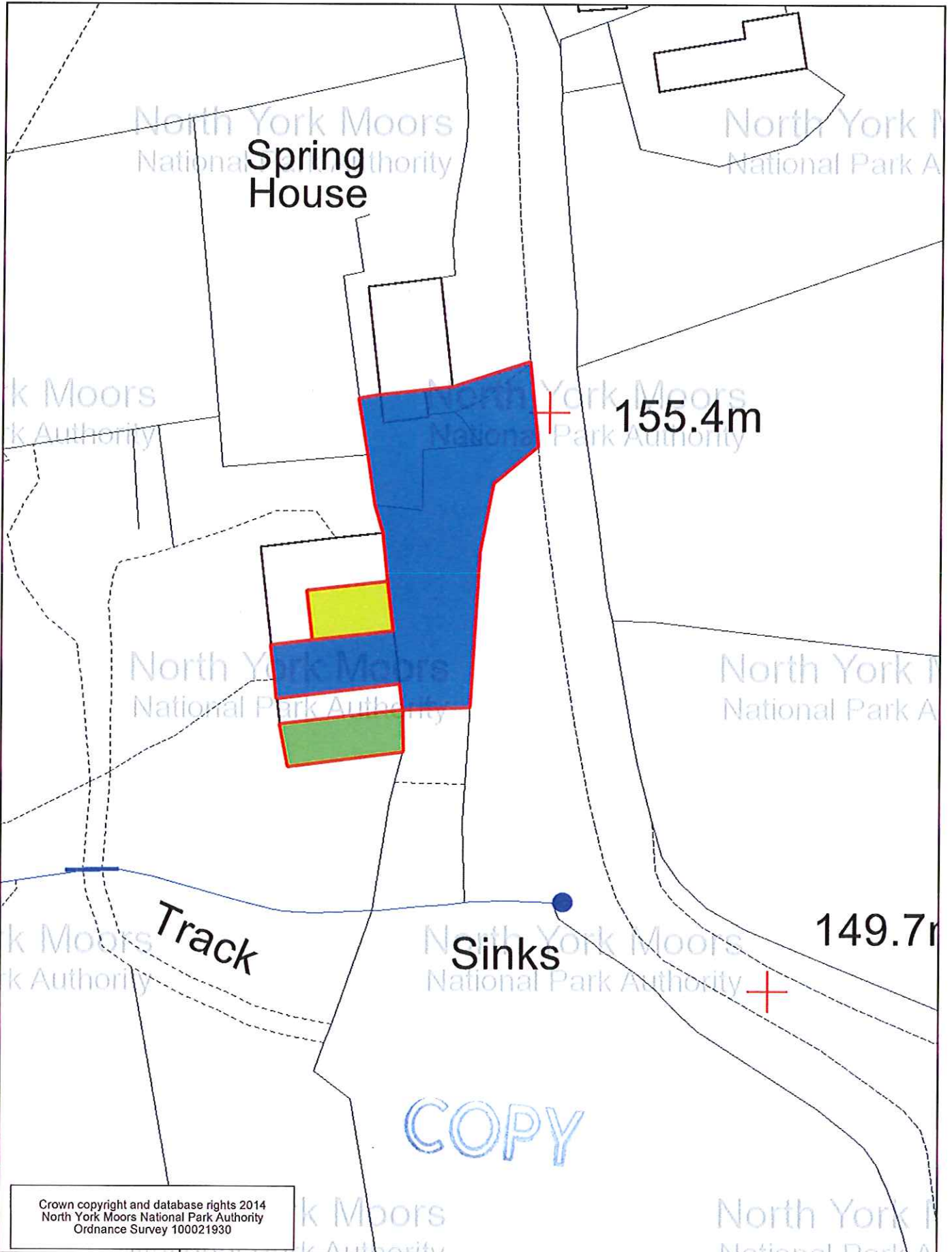
North York Moors National  
Park Authority  
The Old Vicarage  
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