

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 Donoghue  
Runcible Spoon  
Mulgrave House  
16 High Street  
Hinderwell  
Saltburn TS13 5JH

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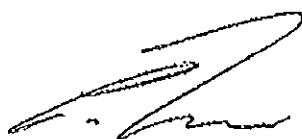
The above named Authority being the Planning Authority for the purposes of your application validated 15 April 2014, in respect of proposed development for the purposes of **change of use of private residential garden to use as a public tea garden with associated access at The Runcible Spoon, Mulgrave House, 16 High Street, Hinderwell** has considered your said application and has granted permission for the proposed development subject to the following condition:

1. The development hereby permitted shall be commenced 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 strict accordance with the following documents:
 

Document Description	Document No.	Date Received
Red/blue line plan	Title plan	22 May 2014
Letter, site layout and long section	DH/SL/2 rev. 1	22 May 2014
E-mail confirming number of covers		30 April 2014

 or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. The area outlined in red on the plan received 22 May 2014 shall not be used other than as a tea garden and shall not be used for any other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
4. Within the area outlined red on the plan received 22 May 2014 there shall be no more than 16 covers provided, unless otherwise agreed in writing by the Local Planning Authority.
5. The tea garden hereby permitted shall not be open to customers outside the hours of 10.00 to 18.00 Mondays to Saturday and 10.00 hours to 17.00 hours on Sundays and Bank Holidays. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
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.

Continued/Conditions



Mr C M France  
Director of Planning

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15 JUL 2014  
Date .....

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2014/0205/CU

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Conditions (Continued)

7. Notwithstanding the opening to be created in the stone wall forming the east site boundary for access purposes the remainder of the wall shown as being retained (running parallel with the public highway) shall not be taken down or removed and shall be retained in situ in perpetuity.
8. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the hardsurfacing to be utilised on the site have been submitted to and approved in writing by the Local Planning Authority, including a timetable to implement the proposed works. The hard landscaping works shall then be implemented in accordance with the approved details. The hard landscaping shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

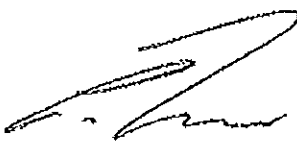
Informative

You are advised that this permission does not grant consent for any form of advertisement or hoarding to be placed anywhere within the land edged blue or red on the submitted plan or anywhere outside of these areas. You are advised to obtain sight of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and to contact the Local Planning Authority with respect to any new or replacement signage.

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 changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) and to comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
- 4 – 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 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.

Continued/Reasons for Conditions



Mr C M France  
Director of Planning

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Date ... 15 JUL 2014

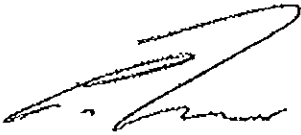
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**Reasons for Conditions (Continued)**

8. In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that development proposals incorporate suitable hard landscaping details.

**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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 ... 15 JUL 2014

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