

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: YORKSHIRE DALES NATIONAL PARK AUTHORITY

1. **THIS IS A FORMAL NOTICE** which is issued by the Authority because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at The Old School Building, Bainbridge ("the Land"), shown edged red on the attached plan (Ref No: ER/52/25A).

3. THE BREACH OF PLANNING CONTROL ALLEGED

On 12 February 1998 planning permission was granted for change of use of the Old School Building, Bainbridge, to form a dwellinghouse (Decision No R/52/130A) subject to conditions (A copy of the relevant Planning Permission is attached as Appendix A to this notice). Two of those conditions were:-

Condition 2 – The development hereby permitted shall be carried out in accordance with the details of the application as amended by the letter from Mr G Crossley dated 4 February 1998, except as may be varied by written agreement with the Local Planning Authority.

Condition 3 – Notwithstanding the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that Order, no enlargements, improvements, alterations shall be made or attachments added or painting of the exterior walls carried out to the building the subject of this permission, including attached garages, porches, dormer windows, rooflights or satellite antennae, doors or windows, nor shall any development take place within the curtilage of the building, such as the erection of a garage, greenhouse, wall or fence, or container for the storage of oil or gas for domestic heating without the express grant of planning permission by the Local Planning Authority.

It appears to the Authority that the above conditions have not been complied with, because the development has not been carried out in strict accordance with the approved plans under Reference 1732/3A and as amended by the letter from Mr G Crossley dated 4 February 1998.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Authority that the above breach of planning control has occurred within the last ten years.

The development as built comprises two bedrooms, a bathroom and a boxroom on the first floor. The approved plans only show an open gallery. As a consequence of the provision of the additional accommodation, the residential amenity of neighbours and the character of the building have been seriously compromised.

There are now two rooflights in the west elevation, both with clear glass, much larger and in different positions than those which have been approved. With the unauthorised insertion of the first floor, they cause a much greater level of direct overlooking into the first floor of the neighbouring property in a manner detrimental to the residential amenity of these residents.

A further rooflight has been inserted in the south elevation. The insertion of the two windows on the northern elevation has harmed the appearance of this elevation and the size of the rooflights in the western and southern elevation also detracts from the character and appearance of the building, which is a prominent building within the Bainbridge Conservation Area,

5. WHAT YOU ARE REQUIRED TO DO

Remove all the unauthorised works and complete the development in strict accordance with the approved plans under Reference 1732/3A and as amended by the letter from Mr G Crossley dated 4 February 1998

6. TIME FOR COMPLIANCE

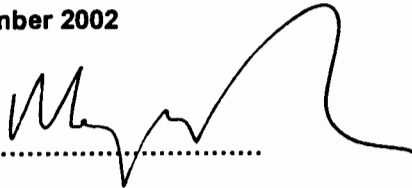
Six calendar months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **18 October 2002**, unless an appeal is made against it beforehand.

Dated: 17 September 2002

Signed:



**SOLICITOR TO THE AUTHORITY
YORKSHIRE DALES NATIONAL PARK AUTHORITY
YOREBRIDGE HOUSE
BAINBRIDGE
LEYBURN
NORTH YORKSHIRE DL8 3EE**

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms.

- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) Send the second copy of the appeal form and notice to the Authority at:-

**Yorkshire Dales National Park Authority
Yorebridge House
Bainbridge
Leyburn
North Yorkshire DL8 3EE**