

TOWN AND COUNTRY PLANNING ACT, 1990
 YORKSHIRE DALES NATIONAL PARK COMMITTEE
 NORTH YORKSHIRE COUNTY COUNCIL

Decision



NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR
 PERMISSION TO CARRY OUT DEVELOPMENT

To Mr R Bannister
 c/o Dodd Frankland Stocks
 Priory House
 18 Church Street
 Leeds Road
 Ilkley LS29 9DS

The above-named Council being the Local Planning Authority for the purposes of your application dated the 6th November 1990 for full planning permission to: (i) alter and use as part of a dwellinghouse an existing agricultural barn; (ii) demolish existing agricultural buildings and build extensions to existing dwellinghouse; and (iii) enclose and use land as an extension of an existing residential curtilage at Thack Cottage, Bell Busk, GR: SD 907 564 have considered your said application and have REFUSED permission for the proposed Development for the following reasons:-

1. The detailing and the magnitude of the alterations proposed by this application to the existing buildings and the enlargement and the treatment of the garden proposed to attach to the property are such that the Local Planning Authority consider that the appearance and the character of the house and barn would be radically changed. The house and barn in its present state and setting exhibits a robust simplicity and lack of pretension typical of building groups for which the National Park is valued. To alter the detailing and the scale of the building and its surroundings to the extent proposed would materially change its appearance, its character and its setting.
2. The Local Planning Authority consider that these changes and the perception of the building and its setting that would result would create a feature which, whilst not intrinsically unattractive, would be incongruous in this place, would subsume and thus spoil (if not destroy) a valued (if not precious) historic and visual feature and pose a threat of similar treatments of other groups of buildings. The landscape of the National Park and its building heritage are inseparable and any attempt to elaborate and embellish either is likely to erode if not destroy altogether the very features for which the area has been specially designated. The development proposed would have just that effect on this part of the National Park. Consequently it would damage unacceptably interests of national importance, be contrary to the duty on the Local Planning Authority to preserve and enhance the landscape, to the advice of central government in respect of the protection of National Parks and to the environmental policies (Policy E1) in the North Yorkshire Structure Plan.

11.9 FEB 1991

Date


 NATIONAL PARK OFFICER

Designation

FOR RIGHTS OF APPEAL SEE OVERLEAF

RIGHTS OF APPEAL

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (including reference to office and industrial development) to the provisions of the development order, and to any directions given under the order.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county district in which the land is situated, a purchase notice requiring that Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Part V of the Town and Country Planning Act 1990.

Note

If an aggrieved applicant wishes to exercise his right of appeal as above mentioned, he should do so on the appropriate form obtainable from:-

The Secretary of State
Department of the Environment
Tollgate House
Houlton Street
Bristol
BS2 9DJ