

TOWN AND COUNTRY PLANNING ACT 1990
YORKSHIRE DALES NATIONAL PARK AUTHORITY
(Local Planning Authority)

Decision



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

To: Mr & Mrs D Carling
2 Springfields
Hillside
Follifoot
Harrogate
North Yorkshire HG3 1EE

Decision No: R/91/115

The above named Authority being the Local Planning Authority for the purposes of your application received on 13/03/2002 for full planning permission for conversion of barn to form one bedroomed dwelling at Barn adjacent to pond, West Witton, SE059883 have considered the said application and have GRANTED permission for the proposed Development subject to the following Conditions:

1. The development hereby permitted shall be begun (as defined by Section 56 of the Town and Country Planning Act 1990) before the expiration of five years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the details of the application as amended in respect of the omission of the french doors and the recessing of the garage doors to provide an adequate vehicle manoeuvring area by the drawings received on 2nd July 2002, except as may be varied by written agreement with the Local Planning Authority.
3. Prior to the first use of the development the vehicular access, parking and turning facilities shall be formed in accordance with the submitted drawing 'Proposed paving area' received on 2nd July 2002. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
4. Doors and window frames shall be made of wood and shall be stained dark brown, or such other colour as may be agreed in writing by the Local Planning Authority.
5. The window frames shall be recessed by a minimum of 150 mm from the external face of the wall in which they are set.
6. All rainwater goods and other external pipework, including fixings, shall be coloured black or such other colour as may be agreed in writing by the Local Planning Authority and shall be fixed direct to the masonry of the building using rise and fall brackets or equivalent fixings.

Reasons:

1. To comply with the requirements of Sections 91-93 of the Town and Country Planning Act 1990.
2. To prohibit the development being carried out in a way that, in the absence of Local

Date: 29 AUG 2002


Designation
HEAD OF PLANNING

FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF

RIGHTS OF APPEAL

1. If an applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State for the Environment (The Planning Inspectorate), in accordance with Section 78 of the Town and Country Planning Act 1990, within 6 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/she 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/her 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, they may serve on North Yorkshire County Council a purchase notice requiring the Council to purchase their 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 reference of the application to him/her. The circumstances in which such compensation is payable are set out in Part V of the Town and Country Planning Act 1990.

NOTE:

If you wish to exercise your right of appeal as above mentioned, you should do so on the appropriate form obtainable from:

The Planning Inspectorate
Hawk Wing
Room 3/23
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

(approval/refusal)

Continuation Sheet 1

Planning Authority assessment and approval, may prove unacceptable and contrary to the public interest.

3. To provide for appropriate on-site vehicle parking facilities with associated access and manoeuvring areas, in the interests of highway safety and the general amenity of the development.
4. In the interest of preserving the existing character and appearance of the surrounding area.
5. To reflect and perpetuate a feature of the vernacular which has an important and valuable influence on the appearance and character of buildings typical of the National Park.
6. To match the colour which these components have had, traditionally, in the interests of the appearance and character of the locality.

Notes to Applicant:

N.B. This permission does not authorise the doing of anything which interferes with public right of way no. 1 which crosses the site. If it is intended to erect scaffolding over the public right of way, or to do anything else which would interfere with it, the development authorised must not be started unless and until this right of way has been diverted or extinguished under the provisions of Section 247 or 257 of the Town and Country Planning Act 1990. Unless and until this happens the right of way must remain free of obstruction and be available for use at all times.

NOTE:-

No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.