

**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**

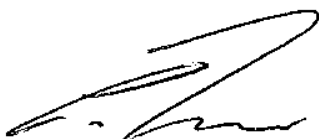
To George Winn Darley  
c/o Rural Solutions  
fao: Mrs Fiona Tiplady  
Canalside House  
Brewery Lane  
Skipton  
North Yorkshire, BD23 1DR

The above named Authority being the Planning Authority for the purposes of your application validated 08 February 2019, in respect of **use of part of the former quarry for leisure purposes in the form of 1 no. additional log cabin, 12 no. touring caravan pitches with associated package treatment plant and access road and change of use of quarry building to visitor club/meeting facility at Land at Spaunton Quarry, Kirkbymoorside** has considered your said application and has **refused** permission for the proposed development for the following reason:

1. The wider chalet and caravan site proposed development by reason of the retention of the prominent unattractive brick quarry building as a meeting room would have an undermining effect and dilute the character and appearance of the ongoing restoration of this former quarry to a more natural form and detract from the Authority's agreed landscape restoration plan which sets a vision for an attractive landform and landscape post quarrying. As such the proposal would be contrary to the provisions of Core Policy A, Development Policies 8, 14 and Development Policy 16 of the NYM Core Strategy taken together which, amongst other things, retain traditional buildings which make an important contribution to the quality and character of the landscape, together with seeking to ensure development conserves and enhances the wider landscape of the Park, special qualities of the Park and avoids damage to the landscape.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that part of the development is likely to undermine the economic, social and environmental conditions of the area and as such the balance lies in refusal of the project.



Mr C M France  
Director of Planning

Date 17 June 2019

**Please Note your Rights of Appeal are attached to this Decision Notice**

## **Non - Householder Rights of Appeal**

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for non-householder development, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (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, the owner of the land may claim 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 interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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)

### **Notes**

1. Please note, only the applicant possesses the right of appeal.
2. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
3. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.