

North York Moors National Park Authority



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Cundalls
fao: Mr William Tyson
15 Market Place
Malton
North Yorkshire
YO17 7LP

Your ref:

Our ref: NYM/2021/0112/AGRP

Date: 15 April 2021

Dear Sir/Madam

Prior notification for erection of agricultural storage building with associated hardstanding under Part 6, Schedule 2 of the 2015 Town and Country Planning (General Permitted Development) Order (or any order revoking and re-enacting that Order) at Beacon Farm, Beacon Brow Road, Scalby

Thank you for your notification under the above Order, which was validated on 19 February 2021.

The above named Authority being the Planning Authority has considered the above application for prior approval and has refused permission for the proposed development for the following reason(s):

1. The siting of the proposed building, remote from any neighbouring farmsteads and other buildings would represent sporadic development which would have an unacceptable adverse impact on the character and special qualities of this part of the National Park. The building would be clearly seen from the adjacent highway and by reason of its isolated nature would have a harmful impact on this nationally protected landscape which is not characterised by isolated or small groups of buildings. The Local Planning Authority do not consider that sufficient essential agricultural need exists to justify a building on this isolated parcel of land to override the resulting harm to the open undeveloped character of this area.
2. Approval of this proposed development would increase pressure for similar buildings on areas of land detached from a main farmstead which could lead to a proliferation of other isolated barns across the National Park which would have a cumulative detrimental impact on the character, special qualities and distinctiveness of the Nationally Protected landscape.

You have a right of appeal to the Planning Inspectorate against this decision. Alternatively you may wish to contact Mrs H Saunders to discuss the matter further.

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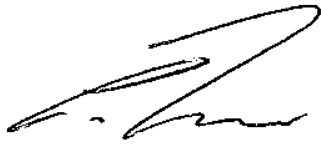


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2

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Yours faithfully

A handwritten signature in black ink, appearing to be 'C M France', written in a cursive style.

Mr C M France
Director of Planning

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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

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.

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4. Prospective appellants requesting an inquiry into their appeal must notify the Local Planning Authority and Planning Inspectorate via email (inquiryappeals@planninginspectorate.gov.uk) at least 10 days prior to appeal submission.