

**Town and Country Planning Act 1990
North York Moors National Park Authority**

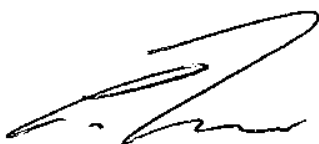
**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

To Mr D Bowes
c/o Cheryl Ward Planning
24 Westfield Mews
Kirkbmoorside
York
YO62 6BA

The above named Authority being the Planning Authority for the purposes of your application validated 10 August 2021, in respect of **alterations, construction of first floor rear and side extensions together with alterations to roof to create balcony** at **Susanna Hill, Browside, Ravenscar** has considered your said application and has **refused** permission for the proposed development for the following reason(s):

- 1 The proposed alterations and extensions to the dwelling, when taken with the existing and approved extensions, would cumulatively result in a significant increase in the habitable floor space of the original dwelling, extending what was a small cottage significantly beyond its original size. The proposal would result in a combined total of new development which would exceed the specified limit of 30% of new habitable floorspace under Policy CO17 of the NYM Local Plan. The cumulative increase in the overall habitable floorspace would consequently have a detrimental impact on the mix of dwelling types needed to sustain balanced communities within the National Park and result in the loss of a smaller more affordable dwelling.
- 2 By virtue of their scale, form and design detailing the proposed dormer extension and alterations to the property would not complement the architectural form or character of this modest cottage that makes a positive contribution to the landscape and special qualities of the National Park. The proposed box dormer would dominate the rear elevation giving the appearance of a zinc clad, flat roof first floor extension and as such would not be subservient to the original dwelling thereby harming its character and appearance and setting in the landscape. The proposal is therefore contrary to Strategic Policy C and Policy CO17 of the NYM Local Plan, the Authority's Design Guide Part 2: Extensions and Alterations to Dwellings and the National Planning Policy Framework, in particular paragraph 134 which advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and supplementary planning documents such as design guides.
- 3 It is considered that due to scale, height, form and position of the proposed side extension and rear dormer extension, and the close proximity of the neighbouring property, the proposals would have an adverse impact on the residential amenity of the occupiers contrary to Strategic Policy C and Policy CO17 of the NYM Local Plan.

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



Mr C M France
Director of Planning

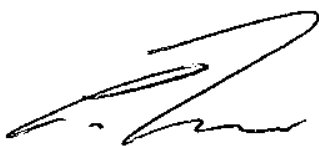
Date 05 October 2021

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Permission to Carry out Development**

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.



Mr C M France
Director of Planning

Date 05 October 2021

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

Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
 - a) refuse an application for planning permission or grant it subject to conditions;
 - b) refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
 - c) refuse an application for any approval required under a development order

they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within 12 weeks of the date of this notice. 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.