

## The Planning Inspectorate

### PLANNING APPEAL FORM (Online Version)

**WARNING:** The appeal and essential supporting documents must reach the Inspectorate within the appeal period. If your appeal and essential supporting documents are not received in time, we will not accept the appeal.

Appeal Reference: APP/W9500/W/24/3344530

#### A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Ms Jade Birch

Company/Group Name

C/o George F White

Address

G F W Letting Ltd  
Dean Court 22-28 Dean Street  
NEWCASTLE UPON TYNE  
NE1 1PG

Preferred contact method

Email  Post

#### B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes  No

Name

Miss Hannah Wafer

Company/Group Name

George F White

Address

4 Market Street  
ALNWICK  
NE66 1TL

Phone number

Email

Preferred contact method

Email  Post

#### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

North York Moors National Park Authority

LPA reference number

NYM/2023/0857

Date of the application

18/12/2023

Did the LPA validate and register your application? Yes  No

Did the LPA issue a decision? Yes  No

Date of LPA's decision

#### D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes  No

Does the appeal relate to an existing property? Yes  No

Address

Is the appeal site within a Green Belt? Yes  No

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes  No

#### E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes  No

Please enter details of the proposed development. This should normally be taken from the planning application form.

Area (in hectares) of the whole appeal site [e.g. 1234.56]

Area of floor space of proposed development (in square metres)

Does the proposal include demolition of non-listed buildings within a conservation area? Yes  No

#### F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.
2. Refused permission to vary or remove a condition(s).
3. Refused prior approval of permitted development rights.
4. Granted planning permission for the development subject to conditions to which you object.
5. Refused approval of the matters reserved under an outline planning permission.
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).
8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.
9. Failed to give notice of its decision within the appropriate period because of a dispute over

provision of local list documentation.

## G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

### 1. Written Representations

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes  No

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes  No

Please explain.

To understand site context and surrounding landscape impact

### 2. Hearing

### 3. Inquiry

## H. FULL STATEMENT OF CASE

[see 'Appeal Documents' section](#)

Do you have a separate list of appendices to accompany your full statement of case? Yes  No

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes  No

(b) Have you made a costs application with this appeal? Yes  No

## I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

### CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

### CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

### CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.

## I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has

given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

## J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.
02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).
03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
- 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
07. A copy of the design and access statement sent to the LPA (if required).
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application;
- (b) all plans sent at outline application stage;
- (c) the original outline planning permission.
12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the

document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

#### K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

No



#### L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Miss Hannah Wafer

Date

17/05/2024 09:22:16

Name

Miss Hannah Wafer

On behalf of

Ms Jade Birch

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

#### M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:  
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

## N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Appeal Statement FINAL.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	2023-12-19 Public - Application Form (2).pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	NYM_2023_0857.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	Job-0004951-01B.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	2023-12-19 Public - Plans.pdf
File name:	2023-12-19 Public - Supporting Information.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	Plans and Documents List.docx

Completed by

Date

# GEORGE F. WHITE

RESIDENTIAL . COMMERCIAL . RURAL . DEVELOPMENT

## APPEAL STATEMENT

Land South of St Margarets Church, Aislaby  
Ms Birch

April 2024

**Prepared by**

Hannah Wafer, Associate Planning Consultant  
Dean Street Arch, 22 Dean Street, Newcastle, NE1 1PG

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## APPENDICES

Appendix A – Context Images

Appendix B – Images of Isolated Buildings in NYMNP



## INTRODUCTION

- 1.1 This statement is prepared on behalf of Ms J Birch (the 'Appellant') to address the reasons for refusal of planning application reference NYM/2023/0857 for *the erection of a stable building for equestrian and livestock purposes* by the North York Moors National Park Authority. The application was received and made valid from 18th December 2023 and was subsequently refused at a meeting of the planning committee on 8<sup>th</sup> February 2024.
- 1.2 The appeal site is located the south of the settlement of Aislaby, which is characterised by linear residential development.
- 1.3 The site forms part of the wider land agricultural field which comprises approximately 2.59ha of land, and is bound by:
  - Agricultural land to the north with residential properties beyond;
  - Vegetation and agricultural land to the south and west; and
  - Residential properties to the south; and
  - A bridleway to the east, with agricultural land beyond.
- 1.4 The site is located approximately 125m from the conservation area and St Margarets Church which is a Grade II Listed Building.
- 1.5 This appeal statement will explore the reasons for refusal which have been issued by the Local Planning Authority (LPA) in connection with application NYM/2023/0857 and any other relevant material considerations. The intention is to set out the Appellants case in the strongest terms and in turn evidencing that the proposed development is acceptable in relation to Local and National Planning Policy.

## APPEAL SUMMARY

- 2.1 This appeal is made against the decision of the Local Planning Authority to refuse planning permission for the erection of a stable building for equestrian and livestock purposes at Aislaby, under planning reference NYM/2023/0857.
- 2.2 The application was refused at a meeting of the planning committee on the 8<sup>th</sup> February 2024. The application was refused for the following reason:
  1. *The proposed stable building would be sited in an isolated and prominent position within a field that lacks sufficient screening and as such, the development would result in unacceptable harm to the local landscape character and special qualities of the National Park, contrary to Policy CO20 of the Authority's adopted policies, as set out within the Local Plan.*
- 2.3 As part of the Appellants statement of case the policies from the North York Moors Local Plan (2020) and the National Planning Policy Framework (NPPF) will be explored in detail.

## **PLANNING POLICY POSITION**

- 3.1 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.2 The Ministry of Housing, Communities and Local Government released the new National Planning Policy Framework in December 2023 (The Framework). The Framework sets out the Government's planning policies for England and how these should be applied.
- 3.3 The Government have confirmed that the Framework is a material planning consideration and should be taken account of when making decisions. It is therefore anticipated that the planning application will be considered against the National Planning Policy Framework (NPPF), with regard being had, where relevant, to the statutory development plan.

### **Statutory Development Plan**

- 3.4 The statutory development plan for the site consists of the North York Moors National Park Authority Local Plan (2020). It is anticipated that the following policies would be considered in the determination of this application:
  - Policy A – Achieving National Park Purposes and Sustainable Development
  - Policy B – The Spatial Strategy
  - Policy G – Landscape
  - Policy I – The Historic Environment
  - Policy ENV11 – Historic Settlements and Built Heritage
  - Policy CO20 – Equestrian Development for Private Use

## APPELLANTS CASE

- 4.1 As identified by the singular reason for refusal cited on the decision notice principally relates to the location of development and perceived landscape impact.
- 4.2 In the case of the proposed development Policy C020 of the Local Plan is referenced within the Local Authorities reason for refusal and throughout the officer report. C020 provides guidance on the circumstances within which private equestrian related development can be considered acceptable. The supporting text specifically advises that *horse related development needs to be managed with care as it can be harmful to the appearance of the landscape*. The LPAs officer report advises that they consider the site to be agricultural in appearance, and development on the outskirts of villages such as this results in an urbanising impact on the landscape. Similarly it is stated that the National Park seeks to protect the landscape from isolated features which are separate from existing buildings or are prominent in the landscape, so as to preserve the special qualities of the National Park. In light of the content of the Officer Report the Appellant wishes to provide an assessment of the development against the criteria of Policy C020.
1. *There is no unacceptable impact on the local landscape character or the special qualities of the National Park;*
- 4.3 The North York Moors Management plan identifies that the special qualities of the national park are: a range of contrasting landscapes, with extensive views; a diverse mix of upland, lowland and coastal habitats; a place with strong visible links to its cultural heritage; a variety of distinctive places and communities; a sense of remoteness and dark skies; and a source of physical, mental and spiritual wellbeing. The proposed development is not considered to impact the special qualities of the national park. In this instance the applicant is seeking permission for a building with a footprint of approximately 118sqm and a such the building is relatively small scale and largely reflective of the surrounding landscape. In support of this application a proposed photomerge is provided to illustrate the visual impact of the development taken from a central point in the field. As can be seen from the photomerge the development can be viewed from this distance (50m), however it is viewed with the backdrop of the vegetation to the south. Existing vegetation to the south comprises of tall, mature hedgerow and trees which are greater in size than the proposed building. In addition the views from any properties to the north will be further limited given the topography of the land and distance to the site. It is therefore considered that the development accords with criterion 1 of Policy CO20.
2. *Existing buildings are used as far as possible and any new stables, yard areas and facilities are closely associated with existing buildings and are not prominent in the landscape;*
- 4.4 The appellants landholding is identified on the submitted location plan, and illustrates there are no existing buildings which could be used to accommodate their Shetland ponies, livestock or equipment storage. It is inevitable that any form of development is likely to be visible within close proximity to the site however the appellant has sought to address concerns by limiting the size of the proposed building as much as possible and by ensuring the building is located on the least visible part of the land. It should also be noted that the building is to be used for general storage and sheep breeding therefore without such facilities breeding cannot occur on site.
3. *The scale of any new structure is appropriate to their setting and the design reflects the principles outlined in the Authorities Design Guide;*
- 4.5 The LPAs Design Guide outlines the principles within which new buildings should be considered. The overarching principles and aims of the National Park are to ensure preservation of the landscape, whilst enabling development to ensure the needs of residents and businesses are met. It is advised that the scale, height, massing, proportion, form, size, materials and design are compatible with the surrounding area. Likewise the proposed building would feature a dark coloured roof in order to future mitigate the perceived visual impact of the development.

The proposed building comprises a small scale footprint of around 118sqm and is located at a low point of the site to reduce visibility from the surrounding landscape. In addition it is proposed that timber is to be used in its construction which will weather over time further ensuring the development assimilates into the surrounding landscape. Whilst management of small scale equestrian development must be managed it is considered the development and surrounding context is characteristic of rural North Yorkshire. The appellant considers the development is appropriate with regards to its setting and design.

*4. The development does not harm the amenities of neighbouring occupiers by reason of noise, disturbance, smell or other adverse impact;*

4.6 The site is located over 100m from any residential property and it is not considered any adverse noise or amenity impacts would arise as a result.

*5. Lighting is discreet in order to minimise light pollution; and*

4.7 No constant lighting is proposed as part of the development. It is considered low level lighting will be installed within the building, but will only be in use whilst the appellant is on site. Should the inspector consider it necessary details of lighting could be secured via an appropriately worded condition.

*6. There is adequate space for parking and access for horse related vehicle activities and the development will not prejudice road safety in the locality.*

4.8 The site benefits from an existing field access onto a bridleway to the east which connects to the adopted highway to the north. It is considered sufficient land is available within the appellants ownership to accommodate parking and vehicle turning. Given the small-scale nature of the development it is not considered it would be prejudicial to road safety. It should also be noted that the highways officer was consulted on the application raising no objection.

4.9 The above information demonstrates compliance with Policy C020. In addition, the LPA reference on a number of occasions the isolated nature of the proposed development. Whilst it is evident that the building is not directly adjacent to the built form, the Local Plan does not preclude development in such locations provided it does not have an unacceptable impact on the surrounding area. It is considered that the submitted information clearly demonstrates the proposed development would be screened from the majority of views and would be compatible with the surrounding landscape. Additional images of the site and surrounding area are provided at Appendix A of this statement.

4.10 Likewise the officer report advises that the Appellants do not currently reside in Aislaby, therefore they consider there would be increased pressure on the land as a result of the number of structures likely to be required to meet the Appellants need. The Appellant therefore wishes to note that the proposed development should be considered on the merits of the case and not on whether additional development may or may not be required to meet future need. The building as proposed is sufficient to meet with Appellants need and will enable appropriate management of the land. For the avoidance of doubt the Appellants agricultural operation comprises sheep, goats, poultry, waterfowl and horses and as such is agricultural in nature. No additional equestrian development such as menages will be required as the horses kept on site are purely for grazing purposes. The Local Plan generally supports the provision of buildings for agriculture and equestrian uses provided they respect and do not adversely impact the landscape. It is considered the information provided by the Appellant demonstrates the proposal does not adversely affect the surrounding landscape. Should the Inspector consider some additional screening to be beneficial the Appellant would be more than happy to agree to a condition which requires the provision of a landscape planting plan to be approved by the Local Planning Authority. Should the appeal be successful the Appellant intends to plant fruit bearing and native species on their holding in order to benefit local wildlife, provide additional screening and stock proofing for the land.

## Material Considerations

- 4.11 NYM/2018/0596/FL – Creation of menage for hobby use with erection of extension to existing building – Approved

*Officer Report States - Whilst not adjacent to the residential property of the owner, the development here has previously been considered acceptable, in the context of nearby residential development and setting in the landscape. The riding arena and stable extension would be well located close to the existing stables and would be seen in the context of these existing buildings. The arena would be fenced with a modest post and rail timber fence which is considered to be appropriate for the locality. The arena will involve the creation of a level surface, but the site is well screened in wider landscape terms by existing planting. The arena is for ancillary hobby purposes only and not for commercial use.*

The above site is located to the west of a residential area, within the agricultural land parcel which is similar in appearance to the appeal site. The approved development is greater in scale and is considered to have a greater impact on the landscape than the development subject of this appeal.

- 4.12 NYM/2023/0505 – Construction of Stable Block – Approved

*The Officer Report States - Thwaites House is a typical farmhouse of traditional stone construction within the open countryside. The house is in a particularly isolated position. Two stable buildings have been sited approximately 380m north of the dwelling, adjacent to the entrance off Raisdale Road without planning permission. There is a public right of way surrounding the domestic curtilage, however the existing vegetation along the boundary is dense and as such, views into the site are minimal. Therefore, the building is unlikely to result in harm to the wider landscape.*

The application site, whilst located within proximity of the dwelling, is particularly isolated and is more than double the distance from an existing structure than that of the Appeal site.

- 4.13 The two aforementioned application have been approved by the LPA in recent years and provide clear examples of similar isolated buildings which have been considered acceptable. Namely application reference NYM/2023/0505 is located a significant distance from any nearby property and would certainly be viewed in isolation, yet the planning officer deemed it appropriate and subsequently approved the application. The Appellant brings such applications to the inspectors attention and urges some consistency to be made with decision making. In addition, images of similar isolated developments are provided at Appendix B of this statement. It is evident that isolated buildings are common across the national park and whilst the special qualities of the National Park are of the utmost importance it is clear such buildings can be approved where there would not be an adverse impact on the landscape. The Appellant has demonstrated that the proposed development will be largely screened from public vantage points and will fit into the surrounding agricultural landscape. For the reasons identified the Appellant respectfully requests the appeal is allowed.

## CONCLUSION

- 5.1 Taking account of the reason for refusal, the assessment provided as part of this appeal statement on the evidence put forward it is considered the proposal is acceptable and in accordance with relevant planning policy. The Appellant strongly refutes that the development would result in unacceptable harm to the local landscape character and special qualities of the National Park. Ultimately the Appellants statement of case outlines the reasons they consider the development can be supported. It is respectfully requested the Inspector allows this appeal.
- 5.2 The proposal development will enable the provision of a small building in support of the applicants land holding, which in turn will enable effective management of the land, without adverse impact on the surrounding landscape.

## Appendix A – Context Images

*Images from St Margarets Church Ground towards Appeal Site*



*Image from Appeal Site towards Aislaby*





*Image from Appeal Site looking West*



*Image of Appeal Site looking East*



*Image of Appeal Site looking south – backdrop of existing dense vegetation*



*Image of Appeal Site*



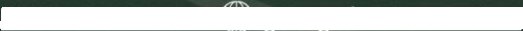
**Appendix B – Images of Isolated Buildings in the NYMNP**













NYMNP

14/12/2023

North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP

Telephone: 01439 772700  
Email: [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)  
Website: [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)

## Application for Planning Permission

### Town and Country Planning Act 1990 (as amended)

#### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)  Northing (y)

Description



Land south of St Margarets Church, Aislaby

## Applicant Details

### Name/Company

Title

Ms

First name

J

Surname

Birch

Company Name

C/o George F White

### Address

Address line 1

Dean Street Arch

Address line 2

22 Dean Street

Address line 3

Town/City

Newcastle

County

Country

Postcode

NE1 1PG

Are you an agent acting on behalf of the applicant?

Yes

No

## Contact Details

Primary number

Secondary number

Fax number

Email address

## Agent Details

Name/Company

Title

First name

Surname

Company Name

## Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

NE1 1PG

## Contact Details

Primary number

Secondary number

Fax number

Email address

## Site Area

What is the measurement of the site area? (numeric characters only).

0.02

Unit

Hectares

## Description of the Proposal

Please note in regard to:

- **Fire Statements** - From 1 August 2021, planning applications for buildings of over 18 metres (or 7 stories) tall containing more than one dwelling will require a 'Fire Statement' for the application to be considered valid. There are some exemptions. [View government planning guidance on fire statements](#) or [access the fire statement template and guidance](#).
- **Permission In Principle** - If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.
- **Public Service Infrastructure** - From 1 August 2021, applications for certain public service infrastructure developments will be eligible for faster determination timeframes. See help for further details or [view government planning guidance on determination periods](#).

### Description

Please describe details of the proposed development or works including any change of use

Erection of a mixed use agricultural and stable building

Has the work or change of use already started?

Yes

No

## Existing Use

Please describe the current use of the site

Agricultural land

Is the site currently vacant?

- Yes  
 No

If Yes, please describe the last use of the site

Agricultural land

When did this use end (if known)?

dd/mm/yyyy

**Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.**

Land which is known to be contaminated

- Yes  
 No

Land where contamination is suspected for all or part of the site

- Yes  
 No

A proposed use that would be particularly vulnerable to the presence of contamination

- Yes  
 No

## Materials

Does the proposed development require any materials to be used externally?

- Yes  
 No

Please provide a description of existing and proposed materials and finishes to be used externally (including type, colour and name for each material)

**Type:**

Walls

**Existing materials and finishes:**

**Proposed materials and finishes:**

Timber - Shiplap boarding

**Type:**

Roof

**Existing materials and finishes:**

**Proposed materials and finishes:**

Natural grey fibre cement

**Type:**

Doors

**Existing materials and finishes:**

**Proposed materials and finishes:**

Timber stable doors

Are you supplying additional information on submitted plans, drawings or a design and access statement?

Yes

No

If Yes, please state references for the plans, drawings and/or design and access statement

Please see submitted plans and elevations

## **Pedestrian and Vehicle Access, Roads and Rights of Way**

Is a new or altered vehicular access proposed to or from the public highway?

Yes

No

Is a new or altered pedestrian access proposed to or from the public highway?

Yes

No

Are there any new public roads to be provided within the site?

Yes

No

Are there any new public rights of way to be provided within or adjacent to the site?

Yes

No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

Yes

No

## Vehicle Parking

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

- Yes  
 No

## Trees and Hedges

Are there trees or hedges on the proposed development site?

- Yes  
 No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

- Yes  
 No

**If Yes to either or both of the above, you may need to provide a full tree survey, at the discretion of the local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside the application. The local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.**

## Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's [Flood map for planning](#). You should also refer to national [standing advice](#) and your local planning authority requirements for information as necessary.)

- Yes  
 No

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

- Yes  
 No

Will the proposal increase the flood risk elsewhere?

- Yes  
 No

How will surface water be disposed of?

- Sustainable drainage system  
 Existing water course  
 Soakaway  
 Main sewer  
 Pond/lake

## Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

**To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.**

a) Protected and priority species

- Yes, on the development site
- Yes, on land adjacent to or near the proposed development
- No

b) Designated sites, important habitats or other biodiversity features

- Yes, on the development site
- Yes, on land adjacent to or near the proposed development
- No

c) Features of geological conservation importance

- Yes, on the development site
- Yes, on land adjacent to or near the proposed development
- No

**Supporting information requirements**

Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessments to allow the local planning authority to determine the proposal.

Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the local planning authority has been submitted.

Your local planning authority will be able to advise on the content of any assessments that may be required.

## Foul Sewage

Please state how foul sewage is to be disposed of:

- Mains sewer
- Septic tank
- Package treatment plant
- Cess pit
- Other
- Unknown

Other

N/A

Are you proposing to connect to the existing drainage system?

- Yes
- No
- Unknown

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

- Yes
- No

Have arrangements been made for the separate storage and collection of recyclable waste?

- Yes
- No

## Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

Yes

No

## Residential/Dwelling Units

Does your proposal include the gain, loss or change of use of residential units?

Yes

No

## All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

Note that 'non-residential' in this context covers all uses except Use Class C3 Dwellinghouses.

Yes

No

Please add details of the Use Classes and floorspace.

### Use Class:

Other (Please specify)

### Other (Please specify):

Agricultural and Stable Building

### Existing gross internal floorspace (square metres) (a):

0

### Gross internal floorspace to be lost by change of use or demolition (square metres) (b):

0

### Total gross new internal floorspace proposed (including changes of use) (square metres) (c):

118

### Net additional gross internal floorspace following development (square metres) (d = c - a):

118

Totals	Existing gross internal floorspace (square metres) (a)	Gross internal floorspace to be lost by change of use or demolition (square metres) (b)	Total gross new internal floorspace proposed (including changes of use) (square metres) (c)	Net additional gross internal floorspace following development (square metres) (d = c - a)
	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="118"/>	<input type="text" value="118"/>

## Tradable floor area

Does the proposal include use as a shop (e.g. For the display/sale of goods under Use Class E(a), the sale of essential goods under Use Class F2, or as part of any other use)

Yes

No

## Loss or gain of rooms



Does the proposal include loss or gain of rooms for hotels, residential institutions, or hostels?

- Yes
- No

## Employment

Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?

- Yes
- No

## Hours of Opening

Are Hours of Opening relevant to this proposal?

- Yes
- No

## Industrial or Commercial Processes and Machinery

Does this proposal involve the carrying out of industrial or commercial activities and processes?

- Yes
- No

Is the proposal for a waste management development?

- Yes
- No

## Hazardous Substances

Does the proposal involve the use or storage of Hazardous Substances?

- Yes
- No

## Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
- No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
- The applicant
- Other person

## Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes

No

## Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

(a) a member of staff

(b) an elected member

(c) related to a member of staff

(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

Yes

No

## Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

Yes

No

Is any of the land to which the application relates part of an Agricultural Holding?

Yes

No

Can you give appropriate notice to all the other owners/agricultural tenants? (Select 'Yes' if there are no other owners/agricultural tenants)

Yes

No

## Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner\* and/or agricultural tenant\*\* of any part of the land or building to which this application relates; or

The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners\* and/or agricultural tenants\*\*.

\* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

\*\* "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Person Role

The Applicant

The Agent

Title

Miss

First Name

Hannah

Surname

Wafer

Declaration Date

13/12/2023

Declaration made

## Declaration

I/We hereby apply for Full planning permission as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Hannah Wafer

Date

14/12/2023



**Legend**

- Land Ownership
- Site Boundary

OS Licence - 010031673



Scale -1:1,250

0 10 20 30 40 50 m



**Notes:**

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2. In the event of any discrepancies being found these are to be brought to the attention of GFW GIS team.
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**Client / Project:** Birch, J/ Land at Aislaby

**Drawing Title:** Location Plan

**Drawn By:** HW

**Checked By:** Client

**Date:** 18.12.2023

**Scale:** 1:1,250 @ A4

**Project No:**

**File No:**

**Dwg No:**

**Revision:**

Job-00049

-

01

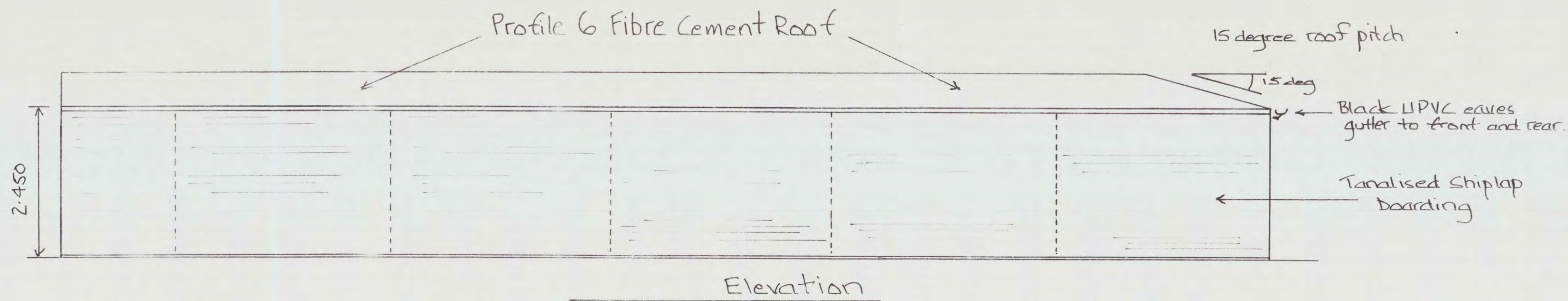
A

**GEORGE F. WHITE**

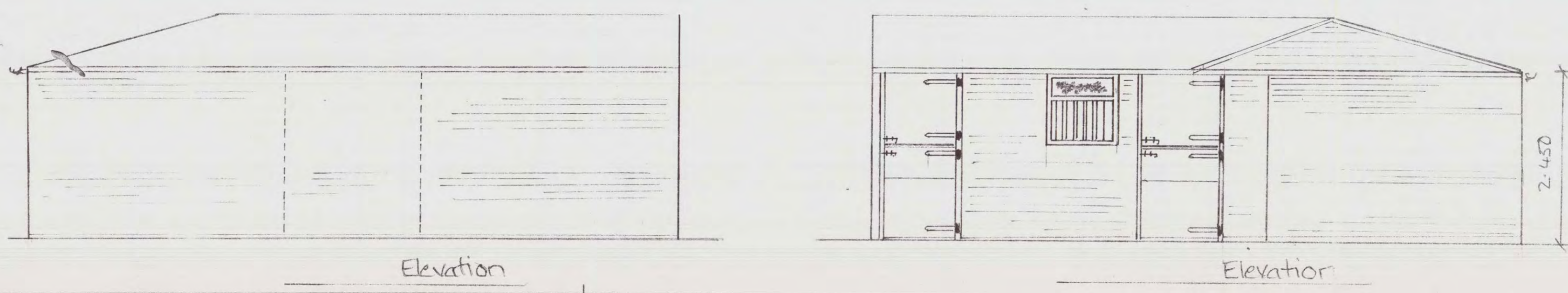
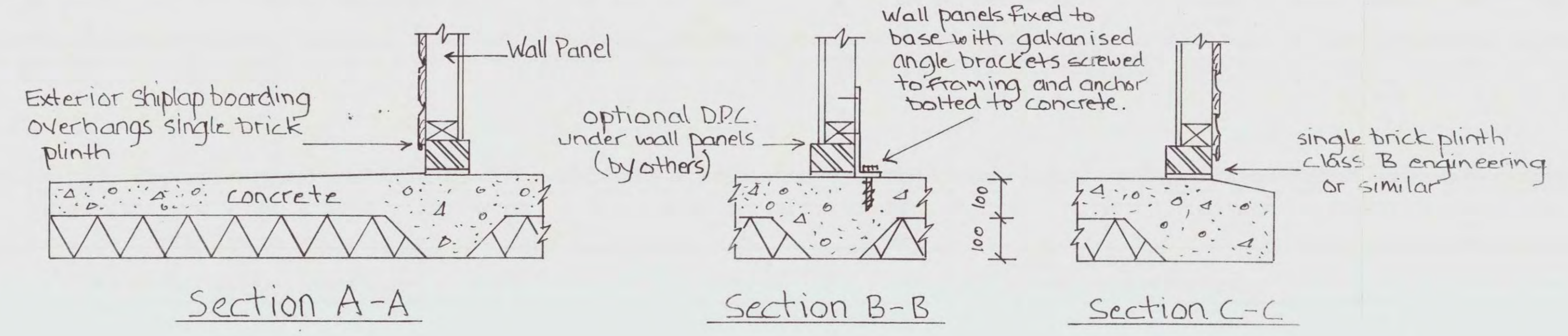
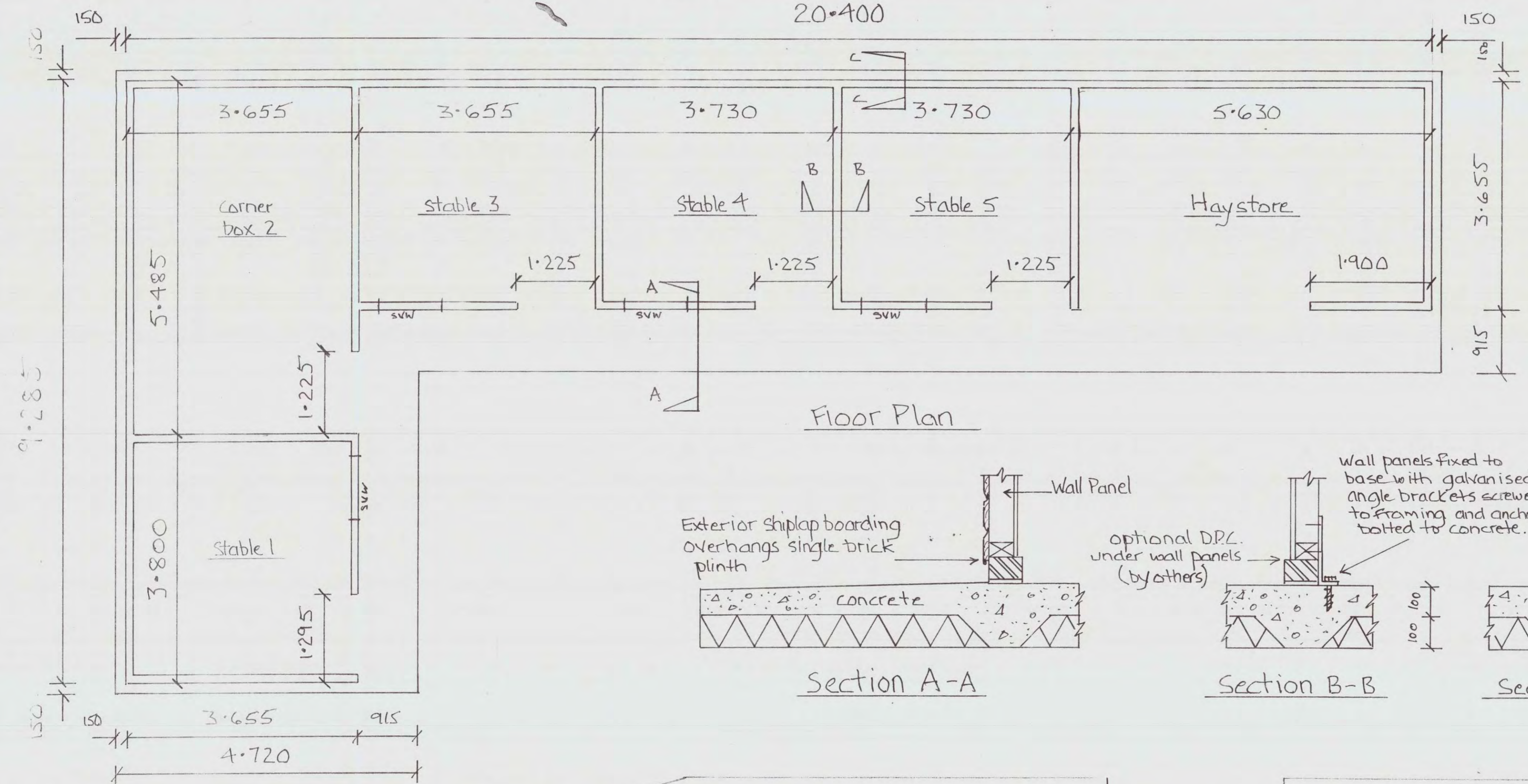
RESIDENTIAL . COMMERCIAL . RURAL . DEVELOPMENT

0333 920 2220

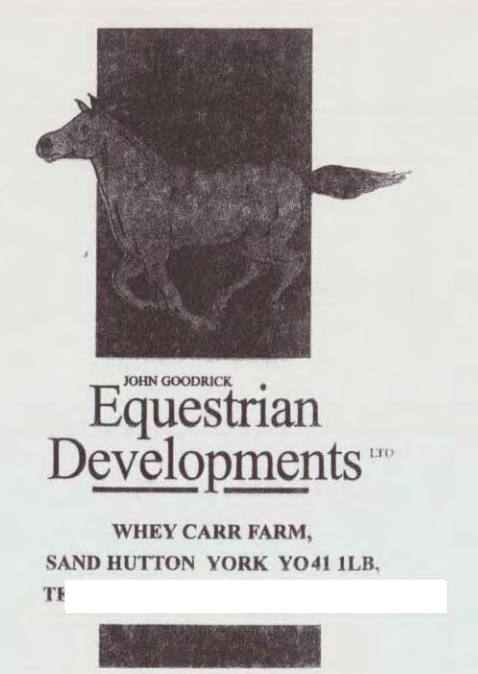
[www.georgefwhite.co.uk](http://www.georgefwhite.co.uk)



NYMNPA  
 14/12/2023



NOTES:  
 All dimensions must be checked on site and not scaled from this drawing.



0m 1cm = 0.5m 2.5m  
 scale 1:50

A	Date	Revisions

© copyright  
 Brick plinth must be laid square and level.  
 Dimensions must not exceed those on drawing.

Client  
 Miss J. Birch  
 Job Title  
 New sectional timber stables at

Drawing Title  
 Floor plan and base details with brick plinth dimensions and elevations.

Scale 1:50 1:10

Date 17/12/2020 Drawn by JLG

Dr. No. 522/121/2 Rev.

# GEORGE F. WHITE

RESIDENTIAL . COMMERCIAL . RURAL . DEVELOPMENT

NYMNP

14/12/2023

## PLANNING STATEMENT

Land South of St Margarets Church, Aislaby  
Ms Birch

December 2023

Prepared by  
Dean Street Arch, 22 Dean Street, Newcastle, NE1 1PG

**CONTENTS**

1 INTRODUCTION ..... 1

2 SITE AND SURROUNDINGS..... 2

3 PLANNING BACKGROUND..... 2

4 PROPOSED DEVELOPMENT ..... 3

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6 PLANNING ASSESSMENT ..... 5

7 CONCLUSION ..... 7

## INTRODUCTION

- 1.1 George F. White (Planning, Architecture and Development) have been instructed by Ms J Birch (the 'Applicant') to submit a full planning application for the erection of a mixed use agricultural and stable building on land south of St Margarets Church, Aislaby.
- 1.2 Having regard to section 38 (6) of the Planning and Compulsory Purchase Act 2004, this planning statement considers the application's conformity with the Development Plan, relevant national planning policy and other material considerations.
- 1.3 In addition to this statement, the application also comprises the following;
  - Site Location Plan
  - Proposed Floor Plans and Elevations
  - Proposed Photomerge



## SITE AND SURROUNDINGS

- 2.1 The application site ('the Site') is located the south of the settlement of Aislaby, which is characterised by linear residential development.
- 2.2 The site is detailed on the submitted Location Plan.
- 2.3 The site forms part of the wider land agricultural field which comprises approximately 2.59ha of land. The application site is bound by:
  - Agricultural land to the north with residential properties beyond;
  - Vegetation and agricultural land to the south and west; and
  - Residential properties to the south; and
  - A bridleway to the east, with agricultural land beyond.
- 2.4 The site is located within the North York Moors National Park.
- 2.5 The site is located approximately 125m from the conservation area and St Margarets Church which is a Grade II Listed Building.
- 2.6 The land is not within an area at risk of flooding as identified on the Environment Agency Flood Risk Map for Planning.

## PLANNING BACKGROUND

- 3.1 Planning permission was refused in June 2023 for construction of a stable building for equestrian and livestock purposes, under application reference NYM/2023/0204. The accompanying decision notice confirms the reason for refusal as:

*The proposed stable building would be sited in an isolated and prominent position within a field that lacks sufficient screening and as such, the development would result in unacceptable harm to the local landscape character and special qualities of the National Park, contrary to Policy CO20 of the Authority's adopted policies, as set out within the Local Plan.*

## **PROPOSED DEVELOPMENT**

- 4.1 This application is in full and includes all necessary supporting information.
- 4.2 The proposed development is for the erection of a mixed use agricultural and stable building in support of the land holding.
- 4.3 The proposed L Shaped is located towards the southern part of the applicants land holding and measures 20.4m x 9.28m at its widest points, with a height of 2.45m to the eaves.
- 4.4 Access to the site is to remain as existing, located towards the south easter corner of the site and utilising the bridleway which connects onto Aislaby Lane to the north.

## **PLANNING POLICY**

- 5.1 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2 The Ministry of Housing, Communities and Local Government released the new National Planning Policy Framework in July 2018 (The Framework), with further alterations in February 2019, July 2021 and September 2023. The Framework sets out the Government's planning policies for England and how these should be applied.
- 5.3 The Government have confirmed that the Framework is a material planning consideration and should be taken account of when making decisions. It is therefore anticipated that the planning application will be considered against the National Planning Policy Framework (NPPF), with regard being had, where relevant, to the statutory development plan.

### **Statutory Development Plan**

- 5.4 The statutory development plan for the site consists of the North York Moors National Park Authority Local Plan (2020). It is anticipated that the following policies would be considered in the determination of this application:
- Policy A – Achieving National Park Purposes and Sustainable Development
  - Policy B – The Spatial Strategy
  - Policy G – Landscape
  - Policy I – The Historic Environment
  - Policy ENV11 – Historic Settlements and Built Heritage
  - Policy CO20 – Equestrian Development for Private Use

## PLANNING ASSESSMENT

- 6.1 The starting point in determining any planning application should be to consider the principle of development, which may be a singular issue or several taken in combination. The NPPF confirms that development proposals which accord with the development plan should be approved without delay. This also forms part of the presumption in favour of sustainable development, of which the NPPF states where there are no relevant development plan policies, or those which are relevant are out of date granting permission, unless the adverse impacts of doing so would outweigh the benefits. In this instance the Local Plan forms the statutory development plan for the area and as such due consideration must be afforded to the policies contained within the plan, with reference to the NPPF where appropriate.
- 6.2 In this instance it is considered Policy C020 is of relevance providing guidance on the circumstances with which private equestrian related development can be considered acceptable. The supporting text of Policy C020 advises that *horse related development needs to be managed with care as it can be harmful to the appearance of the landscape*. Policy C020 therefore identifies the following criteria for assessing private horse related developments which will be addressed in turn below:

1. *There is no unacceptable impact on the local landscape character or the special qualities of the National Park;*

The North York Moors Management plan identifies that the special qualities of the national park are: a range of contrasting landscapes, with extensive views; a diverse mix of upland, lowland and coastal habitats; a place with strong visible links to its cultural heritage; a variety of distinctive places and communities; a sense of remoteness and dark skies; and a source of physical, mental and spiritual wellbeing. The proposed development is not considered to impact the special qualities of the national park. In this instance the applicant is seeking permission for a building with a footprint of approximately 118sqm and as such the building is relatively small scale and largely reflective of the surrounding landscape. In support of this application a proposed photomerge is submitted to illustrate the visual impact of the development taken from a central point in the field. As can be seen from the photomerge the development can be viewed from this distance (50m), however it is viewed with the backdrop of the vegetation to the south. In addition the views from any properties to the north will be further limited given the topography of the land and distance to the site. It is therefore considered that the development accords with criterion 1 of Policy C020.

2. *Existing buildings are used as far as possible and any new stables, yard areas and facilities are closely associated with existing buildings and are not prominent in the landscape;*

The applicants landholding is identified on the submitted location plan, and illustrates there are no existing buildings which could be used to accommodate their horses, livestock or equipment storage. It is inevitable that any form of development is likely to be visible on site however the applicant has sought to address concerns by limiting the size of the proposed building as much as possible and by ensuring the building is located on the least visible part of the site.

3. *The scale of any new structure is appropriate to their setting and the design reflects the principles outlined in the Authorities Design Guide;*

The LPAs Design Guide outlines the principles within which new buildings should be considered. The overarching principles and aims of the National Park are to ensure preservation of the landscape, whilst enabling development to ensure the needs of residents and businesses are met. It is advised that the scale, height, massing, proportion, form, size, materials and design are compatible with the surrounding area.

The proposed building comprises a small scale footprint of around 118sqm and is located at a low point of the site to reduce visibility from the surrounding landscape. In addition it is proposed that timber is to be used in its construction which will weather over time further ensuring the development assimilates into the surrounding landscape. Whilst management of small scale equestrian development must be managed it is considered the development and surrounding context is characteristic of rural North Yorkshire. The applicant considers the development can be considered appropriate with regards to its setting and design.

*4. The development does not harm the amenities of neighbouring occupiers by reason of noise, disturbance, smell or other adverse impact;*

The application site is located over 100m from any residential property and it is not considered any adverse noise or amenity impacts would arise as a result.

*5. Lighting is discreet in order to minimise light pollution; and*

No constant lighting is proposed as part of the development. It is considered low level lighting will be installed within the building, but will only be in use whilst the applicant is on site.

*6. There is adequate space for parking and access for horse related vehicle activities and the development will not prejudice road safety in the locality.*

The application site benefits from an existing field access onto a bridleway to the east which connects to the adopted highway to the north. It is considered sufficient land is available within the applicants ownership to accommodate parking and vehicle turning. Given the small scale nature of the development it is not considered it would be prejudicial to road safety. It should also be noted that the highways officer was consulted on the previously refused application raising no objection.

- 6.3 In light of the above information it is considered that the proposed development can be considered acceptable and in accordance with Policy C020. Notwithstanding this information the proposal is for a mixed use agricultural and equestrian related development. The agricultural element of the proposal relates to the keeping of livestock for grazing on the land, and the holdings general upkeep which requires the storage of equipment, feed, machinery etc. It is however considered that the principle of development largely hinges on whether the landscape impact of the development can be considered acceptable, however the applicant considers the submitted information is sufficient to demonstrate compliance with the Local Plan and the LPAs design principles.

### **Other Considerations**

- 6.4 Previous concerns have been raised by residents over the potential for further development being required on site. Whilst each application should be determined on its own merits the applicant wishes to confirm that the building as proposed and is of a sufficient scale for the holding. At present and if the development is approved there is no intention to request a further extension to the building.

## CONCLUSION

- 7.1 The planning application documentation demonstrates that the proposed development is an acceptable form of development and is in accordance with the development plan.
- 7.2 The proposals will enable the provision of an agricultural and stable building in support of the applicants land holding, which in turn will enable effective management of the land. It is considered the application demonstrates that the proposal will not have an adverse impact on the landscape or special qualities of the National Park. For the reasons identified it is considered that the proposed development can be considered acceptable and in accordance with relevant planning policy.





Proposed Photomerge



Existing View

Notes:  
 1. This drawing is subject to copyright laws and the use of this drawing is licensed by GFW for use on this project only.  
 2. In the event of any discrepancies being found these are to be brought to the attention of GFV architectural team.  
 3. This drawing is to be used solely for the information titled.  
 4. Construction staff and operatives must ensure the main contractor has provided accurate information on all H&S aspects relating to the designs identified on the drawing, including review of designs / contractors risk assessments, method statements, permits to work and pre construction information.  
 5. The proposed layouts are subject to the following, although not exhaustive:  
 - Structural and Drainage Engineers requirements.  
 - Mechanical and Electrical Engineers requirements.  
 - Planning, Listed Building and Building Control approvals as appropriate.  
 6. Use only written dimensions for constructional purposes. Any discrepancies to be reported to the architect / project manager prior to commencement of works.  
 7. Where proposed layouts are based on third party survey information. The accuracy is not underwritten by GFV.

PHOTO LOCATION NTS



Notes  
 Photomerge based upon site photography, as alignment and proposed stable drawings.

Date	Rev	Description	Drwn/Chkd

Information

Client  
 Ms J Birch

Project  
 Proposed Stable Building, Aislaby

Drawing Title  
 Proposed Photomerge

Date	Drwn/Chkd	Scale
DEC 2023	AP/HW	NTS



Project Number	Dwg No.	Revision
0004951	1190	-



**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 Ms J Birch  
c/o George F White  
fao: Miss Hannah Wafer  
Dean Street Arch  
22 Dean Street  
Newcastle  
NE1 1PG

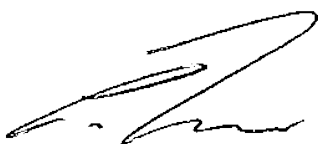
The above named Authority being the Planning Authority for the purposes of your application validated 18 December 2023, in respect of **erection of stable building for equestrian and livestock purposes (revised scheme following refusal of NYM/2023/0204)** at **Land south of St Margarets Church, Aislaby** has considered your said application and has **refused** permission for the proposed development for the following reason(s):

**Reason(s) for Refusal:**

1. The proposed stable building would be sited in an isolated and prominent position within a field that lacks sufficient screening and as such, the development would result in unacceptable harm to the local landscape character and special qualities of the National Park, contrary to Policy CO20 of the Authority's adopted policies, as set out within the Local Plan.

**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 concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.



Mr C M France  
Director of Planning

Date 12 February 2024

## Rights of Appeal

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

they may appeal to the Secretary of State of Department of Communities and Local Government 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

- Please note, only the applicant possesses the right of appeal.
- 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.
- In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
- 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.
- 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.