

RICHMONDSHIRE DISTRICT COUNCIL - Decision No. 18/00630/VAR

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPULSORY PURCHASE ACT 2004**

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION
TO VARY OR MODIFY AN EXISTING PLANNING PERMISSION**

To : **Mr Christopher Jowett
Somerset House
Preston Under Scar
Leyburn
North Yorkshire
DL8 4AH**

The above named Council being the Planning Authority for the purposes of your application received on 28 August 2018, in respect of the following proposal :

**Proposal : Variation of Condition 14 Attached to Planning Permission
05/01322/FULL**
**Location : Somerset House
Preston Under Scar
Leyburn
North Yorkshire
DL8 4AH**

have considered your said application and have **GRANTED** permission subject to the general condition (to ensure compliance with Sections 91 to 94 of the Town and Country Planning Act, 1990) that :

The development hereby permitted shall be begun on or before 21st October 2021.

1. The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof :

a) application forms and certificates.

Reason for Condition

To ensure that the development is carried out in accordance with the approved particulars and plans.

NOTE TO APPLICANT :

In determining this application for Planning Permission and in imposing the above conditions the Local Planning Authority has had regard to relevant policies of the Development Plan and to all relevant material considerations including the National Planning Policy Framework. The following spatial principles and policies of the Development Plan are relevant to this decision :

Richmondshire Local Plan 2012/2028 Core Strategy
CP1 : Planning Positively
CP3 : Achieving Sustainable Development
CP12 : Conserving and Enhancing Environmental and Historic Assets

REASONS FOR DECISION :

- a) The proposal will not harm the character of the Conservation Area.
- b) The proposal will not harm the amenities of neighbours.
- c) The proposal will not compromise highway safety.
- d) The proposal meets the requirements and expectations of the Development Plan and the National Planning Policy Framework.

INFORMATIVE NOTE - AMENDMENTS TO APPROVED SCHEME :

Please note that there are formal processes that need to be completed in order to seek/obtain approval for any amendments to this approval. A fee is payable for dealing with any such proposal. Further guidance is available at : <http://www.communities.gov.uk/publications/planningandbuilding/greaterflexibilityguidance> or you can discuss this with Natalie Snowball as the Case Officer who dealt with this application.

Footnote :

In dealing with and determining this application, the Local Planning Authority have sought to take a positive approach to foster the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework. As such, the Local Authority has taken steps to work proactively with the applicant to seek solutions to problems that may have arisen in dealing with this application with a view to improving local economic, social and environmental conditions.



Bart Milburn
Planning and Community Development
Manager

Date : 22 October 2018

Note:-

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

RIGHTS OF APPEAL

Appeal to the Secretary of State

- If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate at Room 325, Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period of giving notice of an appeal, but he 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 him that the local planning authority could

not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notes

- If either the local planning authority or the Secretary of State for the Environment refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Part IV and V and related provisions of the Town and Country Planning Act 1990.