

NOTICE OF DECISION

TOWN & COUNTRY PLANNING ACT 1990

FULL APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

NORTH YORKSHIRE COUNCIL, THE LOCAL PLANNING AUTHORITY, HAS CONSIDERED THIS APPLICATION AND HAS DECIDED THAT IT SHOULD BE REFUSED FOR THE REASON(S) GIVEN BELOW:

APPLICATION No: ZE25/00634/FUL
PROPOSAL: Change of use of domestic annex and home studio to 2no. one bedroom holiday lets (retrospective)
LOCATION: Mount Farm Main Street Westow North Yorkshire
APPLICANT: Mr & Mrs James Robert Garnett
DECISION DATE: 24 July 2025

REASON(S)

- 01 The existing access, by which vehicles associated with this proposal would leave and re-join the Highway is unsatisfactory since the required visibility of 2.4 metres x 43 metres cannot be achieved at the junction with the Highway and therefore, in the opinion of the Planning Authority, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety and is therefore contrary to Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy and paragraph 116 of the NPPF.
- 02 The Planning Authority considers that the proposed development would give rise to additional vehicles waiting in the carriageway, and would thus cause interference with the free flow of traffic and consequent danger to highway users and is therefore contrary to Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy and paragraph 116 of the NPPF.

Positive and Proactive Statement

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. However, the issues are so fundamental to the proposal that it not considered possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.



Martin Grainger
Head of Development Management

Date: 24th July 2025

Mr & Mrs James Robert Garnett
Mount Farm Main Street Westow YO60 7NE

NOTES

Appeals to the Secretary of State

If you are aggrieved by the decision of your 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 under section 78 of the Town and Country Planning Act 1990.

Where 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.

Otherwise, 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.

If this is a decision to refuse planning permission or prior approval for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Otherwise, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made 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 5000) or online at <https://acp.planninginspectorate.gov.uk>

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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the submitting the appeal. Further details are on GOV.uk.