

NOTICE OF REFUSAL

**APPLICATION UNDER SECTION 73 OF THE TOWN & COUNTRY
PLANNING ACT 1990 MINOR MATERIAL AMENDMENTS**

**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: ZE25/00607/73A
PROPOSAL: Variation of Condition 03 of planning approval 18/00647/FUL dated 12/09/2018
LOCATION: Coney Cottage Main Street Westow North Yorkshire
APPLICANT: Miss Susan Coates
DATE: 28th July 2025

REASON(S)

- i. The proposed development would result in an unacceptable level of amenity by virtue of the very limited amenity space provided to the immediate front of the building which is directly overlooked by the property to the north, Low Beams, and the very close proximity to the access track which would be utilised by vehicles associated with Coney Burrows and Low Beams. The proposed development would therefore give rise to unacceptable material harm to the amenity of future occupiers of the dwelling in relation to noise and disturbance and loss of privacy contrary to Policy SP20 (Generic Development Management Issues) of the Ryedale Plan – Local Plan Strategy. The applicant's personal circumstances have been fully considered and do not, in the view of the LPA, warrant a decision that would represent a departure from the development plan.

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 reason(s) for the refusal, approval has not been possible.



Martin Grainger
Head of Development Management

Date: 28th July 2025

Miss Susan Coates
C/O Mrs Lilian Coulson (Lilian Coulson Planning Consultant)
Chestnut House
Skipwith Road
Escrick
York
YO19 6JU

NOTES

YOUR RIGHTS OF APPEAL

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.