

Ms G. Cooper

Solicitor and Monitoring Officer

Yorkshire Dales National Park Authority [via email]

17 September 2018

PLANNING APPLICATION RE BARN at OUGHTERSHAW: Ref C/13/187

Dear Ms Cooper

Thank you for sending us the relevant documents relating to the Planning Committee's process in reaching a decision on the barn conversion at Oughtershaw. We have now read the Counsel's advice to the Committee, and have given the whole issue careful consideration. We have also put the matter to the full Council of the Friends of the Dales to consider.

It is with great reluctance that we have decided not to pursue our request for a judicial review of the case. This is not a decision we have taken lightly; having taken our own Counsel's advice we believe we have a strong case, and can demonstrate that the Members did not take the decision in accordance with the relevant policies. However, nothing is certain, and as a membership organisation we simply do not have the funds or staff resources to take on the risk involved in such a challenge. We are also mindful of the fact that it would involve staff time and public money on the part of the National Park Authority as well. We therefore conclude that in this instance it would not be efficacious to continue with our call for a judicial review.

However, we are deeply concerned about the way in which the decision was reached, in particular that some Committee Members appeared to ignore the advice of their own Monitoring Officer and Counsel's advice. This effectively undermines the authority of the Local Plan, which is supposed to guide all those involved in making planning applications and decisions, and inevitably brings into question confidence in the further decision making of the Planning Committee itself. We believe that a very unfortunate precedent has now been set. We are also of the firm view that the relevant policies need to be re-visited, so that they are clearer and are less open to judgement.

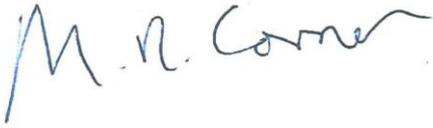
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We have two requests to make: one, that this letter is circulated to **all** Members of the National Park Authority, and two, that a review of the traditional buildings conversion policies L1, L2 and L3 is carried out at the earliest possible opportunity.

Yours sincerely

A handwritten signature in blue ink that reads "M. R. Corner". The signature is written in a cursive style with a long, sweeping underline.

Mark Corner, Chairman Friends of the Dales