

Ms G. Cooper

Solicitor and Monitoring Officer

Yorkshire Dales National Park Authority [via email]

10 July 2018

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

Dear Ms Cooper

I refer to your letter dated 4th July in which you ask us to provide the Authority with the detailed grounds of our challenge to the Authority's decision to approve application C/13/187.

The grounds of our challenge are:

1. We are very concerned about the process by which Members reached this decision. We believe they have not followed the policies in the adopted Local Plan despite this being brought to their attention in the Officer's report. This apparent lack of regard to planning procedures undermines the democratic process of developing, refining and adopting the Local Plan, and is thus in danger of bringing the planning process into disrepute. We are also concerned that it will set a precedent thus leading to a very detrimental and cumulative impact on the landscape of the Yorkshire Dales National Park.
2. It seems clear to us that the proposed development does not comply with the relevant policies in the Local Plan.
3. We agree with the Officer's judgement in the Reference Back report that "the proposed extension and alterations are significant in both scale and impact – they would detract from the heritage significance of the building, its simple character and appearance and remote field barn setting." Thus we also agree that "The proposals would conflict with policies L1, L3, SP1, SP2 and SP4 of the Yorkshire Dales National Park Local Plan (2015-2030) and to the adopted Design Guide (2017)".
4. We disagree with the Members' consideration (draft minute) "that the impact of the extension on the building and wider landscape was not significant and therefore would not be harmful". Continued overleaf./...



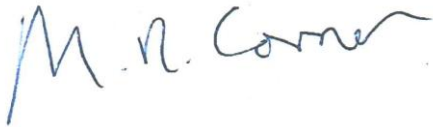
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It is unreasonable to assert that an extension of 33% internal floor space and an increase in footprint of 37.5%, using significant glazing, would not have a significant and harmful impact on the building and its setting. We see no valid evidence to justify the size of the proposed extension.

Policy L3 b) requires alterations to the building to be the minimum necessary and sensitive to the traditional character and appearance of the building and not adversely affect the immediate or wider landscape setting of the building and criteria L3 e) specifies that the building must be capable of conversion requiring no more than minor structural work, the extent of which would not compromise the historic interest and character of the building. This proposal does not comply with these criteria.

We are therefore minded to seek judicial review of this decision. However it would be helpful if we could see the legal advice provided to the Members that enabled them to reach their decision. In line with the Pre-action protocol we now await your response.

Yours sincerely

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

Mark Corner, Chairman Friends of the Dales