

NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR
PERMISSION TO CARRY OUT DEVELOPMENT**

This decision does not constitute approval under the Building Regulations
Please read notes at the end of this notice

Mr Michael Scattergood
c/o Mr Kevin O'Leary
Fluid Design
Ground Floor
4 Fox Oak Park
Dunnington
YO19 5RZ

The above named council being the Local Planning Authority for the purposes of your application dated 18 October 2021 in respect of the following:

Proposal: Erection of single storey rear extension to replace existing conservatory, and dormer windows to the front and rear to provide additional living space at first floor level

Location: 41 Broadacres, Carlton, Selby

have considered your application and have determined to GRANT permission in accordance with the application drawings and particulars subject to the following conditions and reasons

01. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan DE-(9)900
Proposed Plans, Elevations and Section DP-(0)001 rev B

Reason: For the avoidance of doubt and in the interests of proper planning in accordance with Policy SP19 of the Core Strategy.

03. The vertical timber cladding to the dormer windows hereby permitted shall have a dark brown colour finish, or other such colour to be agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity in accordance with Policy SP19 of the Core Strategy.

INFORMATIVES:

01. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.
02. The applicant is advised that the site is within a Ground Source Protection Zone as defined by the Environment Agency. The developer should contact the EA for advice as to whether the proposal would have the potential to pollute or harm ground water. enquiries@environment-agency.gov.uk

A handwritten signature in blue ink, appearing to read 'M. P. Grainger', with a horizontal line drawn underneath it.

Mr M Grainger
Head Of Planning

Date: 13 April 2022

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.
- If 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, then if you want to appeal against your local planning authority's decision on your application you must do so within 28 days of the date of this notice.
- 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 for a householder application and 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.
- If you want to appeal against any other local planning authority's decision then you must do so within 6 months of the date of this notice
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- 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 appeal. Further details are on GOV.UK.

Purchase Notice

If either the Local Planning Authority or the Secretary of State for the Environment refuses 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 carrying out any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with 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 referral of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Circular 10/82 - Access for the disabled

Section 76 of the Town and Country Planning Act 1990 places a duty on local planning authorities to draw the attention of developers to the relevant provisions of The Chronically Sick and Disabled Persons Act 1970. These sections cover buildings or premises to which the public are to be admitted and to offices, shops, railway premises and factories. These sections require any person providing such premises to make provision, where reasonable and practicable, for the means of access, parking and sanitary conveniences to meet the needs of disabled people.

NOTE

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