

The Planning Inspectorate

QUESTIONNAIRE (s78) HOUSEHOLDER APPEAL (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter.

Appeal Reference	APP/W9500/D/24/3340584
Appeal By	MR A HODGSON
Site Address	Underhill Cottage Blue Bank Sleights, Whitby YO22 5EU

PART 1

1. Do you agree that the Householder Appeals Service (HAS) written representation procedure is appropriate for this appeal? Please note there must be exceptional reasons for us to agree to a procedure other than HAS.	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2.a. Are there any appeals or matters relating to the same site still being considered by us or the Secretary of State?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
2.b. Are there any appeals or matters adjacent or close to the site still being considered by us or the Secretary of State?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
3. Can the Inspector see the relevant parts of the appeal site from public land?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4. Will the reasons for refusal/grounds of appeal require the Inspector to enter:				
4.a. the appeal site or property to judge the appeal proposal?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
The dwelling cannot be seen clearly without entering the site.				
4.b. a neighbour's land or property to judge the appeal proposal?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
5. Are you aware of any specific health and safety issues, from your Officer's visits to the site or otherwise, which would need to be taken into account when the inspector visits the site?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6.a. Is the site within a Conservation area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6.b. Is the site adjacent to a Conservation Area?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6.c. Is the site within a green belt?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
6.d. Is the site in an Area of Outstanding Natural Beauty?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
7.a. Does the proposed development involve the demolition, alteration or extension of a listed building?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
7.b. Would the proposed development affect the setting of a listed building?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
8. Did you give publicity, as required, for the site being within a Conservation Area or affecting a listed building?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
9. Is any part of the site subject to a Tree Preservation Order?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

PART 2

Environmental Impact Assessment - Schedule 2

10.a.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes No

Screening

10.c.i. Have you issued a Screening Opinion (SO)? Yes No

Environmental Statement (ES)

10.d. Has the appellant supplied an environmental statement? Yes No

Publicity

10.e. If applicable, please send a copy of the site notice and local advertisement published under Article 15 of the DMPO 2015, as required for EIA development with your case file. Applies N/A

11.a. the development hereby permitted shall begin not later than three years from the date of this decision. Yes No

11.b. the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building. Yes No

11.c. the development hereby permitted shall be carried out in accordance with the approved plans. Yes No

11.d. any other conditions you regard as necessary? Yes No

Details of the condition(s) and reasons you regard the condition(s) as necessary are:

[see 'Questionnaire Documents' section](#)

PART 3

12.a.i. All the plans submitted with the application;
 [see 'Questionnaire Documents' section](#)

12.a.ii. A list of the plans submitted with the application, stating each reference number and clearly indicating which of these plans was under consideration at the time the application was decided;

12.b.i. A copy of the letter/site notice with which you notified interested parties about the householder planning application and a list of the addresses to which it was sent if applicable;
 [see 'Questionnaire Documents' section](#)

[see 'Questionnaire Documents' section](#)
12.b.ii. All representations received from interested parties about the application, including comments from internal and external consultees;
 [see 'Questionnaire Documents' section](#)

12.c. A copy of the letter with which you notified people about the appeal and a list of the addresses to which it was sent;
 [see 'Questionnaire Documents' section](#)

[see 'Questionnaire Documents' section](#)

12.d. The Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes;	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> <u>see 'Questionnaire Documents' section</u>	
12.e. Design and Access Statement (if submitted);	<input type="checkbox"/>
12.f. Extracts from any statutory development plan policy (inc front page, title and date of approval/adoption and status);	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> <u>see 'Questionnaire Documents' section</u>	
<input checked="" type="checkbox"/> <u>see 'Questionnaire Documents' section</u>	
12.g. Extracts from relevant policies which have been saved by way of a direction;	<input type="checkbox"/>
12.h. Extracts from any supplementary planning guidance that you consider necessary (and/or any supplementary planning guidance published under previous provisions still in place) together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when. In the case of emerging documents, please state what stage they have reached;	<input type="checkbox"/>
12.i. Relevant planning history only (e.g. previous relevant permissions if appropriate), including a list of relevant documents taken into account when considering the application.	<input type="checkbox"/>
12.j. If any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;	<input type="checkbox"/>
12.k. If any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;	<input type="checkbox"/>
12.l. Your Authority's CIL charging schedule is being/has been examined;	<input type="checkbox"/>
12.m. Your Authority's CIL charging schedule has been adopted.	<input type="checkbox"/>
Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.	

LPA Details	
I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.	<input checked="" type="checkbox"/>
LPA's reference	<input type="text" value="NYM/2023/0784"/>
Completed by	<input type="text" value="Mrs Dawn Paton"/>
On behalf of	<input type="text" value="North York Moors National Park Authority"/>
Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.	
Name	<input type="text" value="Miss Megan O'Mara"/>
Phone no (including dialling code)	<input type="text" value="01439 772700"/>

Email

planning@northyorkmoors.org.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/W9500/D/24/3340584

Appeal By MR A HODGSON

Site Address
Underhill Cottage
Blue Bank
Sleights, Whitby
YO22 5EU

The documents listed below were uploaded with this form:

Relates to Section: PART 2

Document Description: 11.d. Any other conditions you regard as necessary.

File name: List of recommended conditions.docx

Relates to Section: PART 3

Document Description: 12.a.i. All the plans submitted with the application

File name: 2023-11-29 Public - Plans.pdf

File name: 2023-11-29 Public - Supporting Information.pdf

Relates to Section: PART 3

Document Description: 12.b.i. A copy of the letter with which you notified interested parties about the householder planning application.

File name: Copy of Parish Letter.pdf

File name: Copy of site notice.pdf

Relates to Section: PART 3

Document Description: 12.b.i. A list of the addresses of the people who were notified of the householder planning application.

File name: List of those Notified.pdf

Relates to Section: PART 3

Document Description: 12.b.ii. All representations received from interested parties about the application.

File name: 2024-01-15 Public - Consultation Responses.pdf

Relates to Section: PART 3

Document Description: 12.c. A copy of the letter with which you notified people about the appeal.

File name: Copy of Parish Letter.pdf

Relates to Section: PART 3

Document Description: 12.c. A list of the addresses of the people who were notified of the appeal.

File name: List of those Notified.pdf

Relates to Section: PART 3

Document Description: 12.d. The Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes.

File name: 2024-01-12 Public - Officer Delegated Report.pdf

Relates to Section: PART 3

Document Description: 12.f. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status.

File name: Title Page 2020.pdf

File name:	2020 Copy of Front Sheet.pdf
Relates to Section:	PART 3
Document Description:	12.f. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status.
File name:	SPC.pdf
File name:	CO17.pdf
Completed by	Not Set
Date	30/05/2024 14:52:32
LPA	North York Moors National Park Authority

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

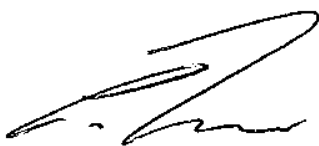
To Mr Andrew Hodgson
Underhill Cottage
Bluebank
Sleights
Whitby
North Yorkshire
YO22 5EU

The above named Authority being the Planning Authority for the purposes of your application validated 23 May 2023, in respect of **construction of first floor rear extension with balcony at Underhill Cottage, Bluebank, Sleights** has considered your said application and has **refused** permission for the proposed development for the following reason(s):

1. The proposed extension, by reason of scale, height, form, position and design, would detract from the character and form of the original dwelling and the development is therefore considered contrary to Strategic Policy C, Policy CO12 and Policy CO17 of the Authority's Adopted Policies, as set out within the Local Plan.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.



Mr C M France
Director of Planning

Date 18 July 2023

Please Note your Rights of Appeal are attached to this Decision Notice

Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
 - a) refuse an application for planning permission or grant it subject to conditions;
 - b) refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
 - c) refuse an application for any approval required under a development order

they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within 12 weeks of the date of this notice. 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so 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 00 00) or online at www.planningportal.gov.uk/planning/appeals

Notes

1. Please note, only the applicant possesses the right of appeal.
2. 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, 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.
3. 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.