

**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 Steve Ellis
c/o P N Bakes Architectural Consultancy
fao: Mr Philip Bakes
502 Thornton Road
Thornton
Bradford
BD13 3JD
United Kingdom

COPY

The above named Authority being the Planning Authority for the purposes of your application validated 03 May 2018, in respect of **demolition of existing porch and construction of single storey extension at Selly Cottage, Guisborough Road, Aislaby**, has considered your said application and has **refused** permission for the proposed development for the following reason:

1. The proposed 4m deep flat roofed extension across the full width of the principle elevation of the host building is considered to have a detrimental impact on the appearance of the host property due to its scale and form which would substantially alter and dominate the simple vernacular scale and form of the host building, and as such fails to respect the host building and would not accord with the requirements of Development Policy 19 and the advice offered in the Authority's Design Guide.

Informative

For the avoidance of doubt the design and access statement states that the proposed extension would be considered to be permitted development if it were 150mm lower. This is not the case as the proposal would extend beyond a wall which forms a principle elevation of the original dwelling house and therefore there are no permitted development rights which would allow an extension on this elevation above those allowed for porches under Schedule 2, Part 1, Class D (Porches) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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.

COPY



Mr C M France
Director of Planning

28 JUN 2018
Date

Householder Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for householder development, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990. As this is a decision to refuse planning permission 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. 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.