



Mr M Nelson  
c/o Mr Andrew Holdsworth  
Thornleigh Nenthead  
Alston  
Cumbria  
CA9 3PD

Your Ref: PP-03482005

**NOTICE OF DECISION ON PLANNING APPLICATION**

**TOWN AND COUNTRY PLANNING ACT 1990**

**PROPOSAL:** Erection of replacement single storey extension and detached garage and alterations to driveway  
**LOCATION:** Wood Grove 63 Westfield Road Tockwith York North Yorkshire YO26 7PY  
**APPLICANT:** Mr M Nelson

Harrogate Borough Council being the Local Planning Authority for the purposes of the application received on 23 June 2014 for Full Planning Permission, as described above, have resolved to  
**GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.**

The conditions to which the permission is subject are as follows:

- 1 The development hereby permitted shall be begun on or before 08.09.2017.
- 2 The extension hereby approved shall be carried out in strict accordance with the details dated and received by Harrogate Borough Council on 23rd June 2014 and as modified by this consent.
- 3 The external materials of the extension hereby approved shall match that of the existing property.
- 4 The replacement planting of 1 Purple leaved plum shall be planted the first planting season, between November and March. The replacement tree shall be 10-12 cm girth when measured at 1.5 metres from ground level at the time of planting, this tree shall be planted in a prepared pit, which is 50% larger than root ball of the tree to be

planted. The sides of the planting to are to be forked over to help alleviate compaction and allow the tree roots to become established. The replacement tree shall be planted with the root collar at the same level as the surrounding soil levels and be backfilled with topsoil clean of building contaminants. This tree shall be anchored with a single stake angled at 45% and attached the trunk of the tree at approx.1 metre above ground level. Stake to be driven into the ground clear of the root ball.

The reasons for the conditions are shown below:-

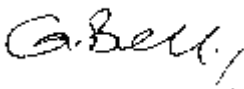
- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 In the interest of visual amenity.
- 4 In the interest of visual amenity.

You can see the officer's report on the application by either contacting Planning Enquiries Tel No: 01423 556666 or e-mailing [DDS-PlanningEnquiries@harrogate.gov.uk](mailto:DDS-PlanningEnquiries@harrogate.gov.uk).

#### STATEMENT OF COMPLIANCE WITH ARTICLE 31 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2012

In dealing with this planning application Harrogate Borough Council as the Local Planning Authority has adopted a positive and proactive manner. The Council offers a pre-application service for planning proposals and applicants are encouraged to undertake this. Proposals are assessed against the National Planning Policy Framework, the documents that form the Development Plan, and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption, and are referred to in this notice of decision. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed through seeking solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary.

Signed:



Chief Planner

Date of Issue: 08.09.2014

**NOTE:** No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area 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.

**Discharging Conditions** – A fee is payable for the discharge of conditions attached to planning and other applications. Applications must be made in writing clearly identifying the application number and the conditions. The standard application form can be used but is not mandatory. The scale of fees can be found on the planning website [www.harrogate.gov.uk/planning](http://www.harrogate.gov.uk/planning). Please note a fee is payable for each separate request and applications should be determined within 8 weeks of a valid request being received.

**NOTE TO APPLICANT/AGENT:** The Borough Council posted a site notice publicising this application. If it is still on display, please remove it.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES SET OUT OVERLEAF.

## **NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

### **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 for Communities and Local Government under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel 0303 444 5000 or visit [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals). The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:
  - 28 days from the date of the decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
  - 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).
- The Secretary of State need not consider an appeal if it seems to him 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 provision 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

### **Purchase Notices**

- If either the local planning authority or the Secretary of State for Communities and Local Government 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 render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.