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Director of Housing & Planning Services

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FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL
HOUSING & PLANNING SERVICES DEPARTMENT

Town and Country Planning Act 1990

Planning Permission

Reference: H14/1102/00 Received: 07-SEP-00 Type: FULL

Name: Mr & Mrs W R Elderkin
Cuckoo Lodge
North Drove
Spalding
Lincolnshire PE11 3JF

Agent: Moulton Design
63 East Cobgate
Moulton
Lincs
PE12 6QJ

Description: Proposed extension to dwelling

Location : Cuckoo Lodge North Drove
Spalding Lincolnshire

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the development in accordance with the application and plans submitted, subject to any condition(s) set out below:

1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

The determined plans are:-
Dwg. No. 000802/01 received 7 September 2000.

Director of Housing and Planning Services
23 OCT 2000

H14/1102/00

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

RIGHTS OF APPEAL etc.

Applications for Planning Permission

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 the Environment 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 Tollgate House, Houlton Street, Bristol BS2 9DJ (Tel: 0117 987 8000).

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.

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 it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

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

Purchase Notices

If either the Local PlanningAuthority or the Secretary of State for the Environment refuses permission to develop land or grant 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 the carrying out of any developments 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 the provisions of 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 reference of the application to him.

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

Applications for Listed Building and Conservation Area Consents

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent or Conservation Area Consent for the proposed works or to grant consent subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate at Tollgate House, Houlton Street, Bristol, BS2 9DJ (Tel: 0117 987 8000). The Secretary of State has powers to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

If Listed Building Consent or Conservation Area Consent is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any works which has been or would be permitted, he may serve on the Council of the 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 Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

Applications for Consent to Display Advertisements

The applicant can, if he so desires, at any time within a period of six months before the expiry of the term for which consent is given, make application for renewal of the consent.

Except where the Local Planning Authority impose a condition to the contrary, or where renewal is applied for but refused, the advertisements may continue to be displayed at the expiry of the term for which consent is granted, subject to the right of the Local Planning Authority to serve a notice under the Regulations requiring applications to be made for express consent for the continuation of the display.

Where, on application being made for consent under the Regulations, consent is refused by the Local Planning Authority or is granted by them subject to conditions (other than the standard conditions) the applicant may appeal to the Secretary of State for the Environment. If consent is granted for a period of less than five years then (unless the application required such consent) the limitation is deemed to be a condition against which an appeal can be made.
Provided that the Secretary of State shall not be required to entertain an appeal if it appears to him, having regard to the provisions of the Regulations, that consent for the display of advertisements in respect of which the application was made could not have been granted by the Local Planning Authority, or could not have been granted otherwise than subject to the conditions imposed by them.

Any person who desires to appeal shall give notice of appeal in writing to the Secretary of State within 8 weeks from the receipt of notification of the Local Planning Authority's decision or such longer period as he may allow. Forms of appeal can be obtained from The Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ (Tel: 0117 987 8000)

Town and Country Planning Act etc

DRAFT PERMISSION

Reference H14/1102/00 Received: 07-SEP-00 Type: FULL

Name: Mr & Mrs W R Elderkin
Cuckoo Lodge
North Drove
Spalding
Lincolnshire PE11 3JF

Agent: Moulton Design
63 East Cobgate
Moulton
Lincs
PE12 6QJ

Description: Proposed extension to dwelling

Location : Cuckoo Lodge North Drove
Spalding Lincolnshire

South Holland District Council hereby give notice that permission has been granted (or equiv) on the following condition(s):

1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

The determined plans are:-
Dwg. No. 000802/01 received 7 September 2000.

Director of Housing and Planning Services
20 OCT 2000

H14/1102/00 23/10.

D23/10