



South Somerset District Council

Development Management, Council Offices, Brympton Way, Yeovil,
Somerset BA20 2HT
Tel No: (01935) 462462
Web Site: www.southsomerset.gov.uk

Simon Fox - Lead Specialist, Planning - Service Delivery

THIS IMPORTANT INFORMATION NEEDS TO BE READ BY APPLICANTS/AGENTS WITH THE ENCLOSED DECISION NOTICE

PLANNING AND HOUSEHOLDER APPLICATIONS

- 1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Department of Communities and Local Government in accordance with Section 76 of the Town and Country Planning Act 1990 within six months of the date of this notice.

If the decision is to refuse planning permission for a householder application you must appeal against this decision within 12 weeks of the date of this notice.

(Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel 0303 444 5000). The Secretary of State has power 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 given notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development orders, and to any directions given under the orders.

- 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 for the Department of Communities and Local Government 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 reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the Metropolitan District, London Borough or County District in which the land is situated as the case may be, a purchase notice requiring the council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and County Planning Act 1990.

APPLICATIONS FOR LISTED BUILDING AND CONSERVATION AREA CONSENT

- 1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent, Conservation Area Consent, or to grant consent subject to conditions, he may appeal to the Secretary of State for the Department of Communities and Local Government in accordance with Section 20 of the Planning (Listed Building and Conservation Area) Act 1990 within six months of the date of his notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel 0303 444 5000). The Secretary of State has power 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 area special circumstance which excuse the delay in giving notice of appeal.
- 2) If Listed Building Consent or Conservation Area Consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Department of Communities and Local Government, 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 reasonable beneficial use by the carrying out of any works which has been or would be permitted, he may serve on the council of the district or London borough in which the land is situated a Listed Building Purchase Notice requiring the Council to purchase his interest in the land in accordance with he provisions of Section 32 of the Planning (Listed Buildings and conservation Area) Act 1990.
- 3) 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 a reference of the application to him.
- 4) Where consent is given to demolish a Listed Building the applicant is advised that 'Attention is drawn to Section 8 of the Planning (Listed Buildings and Conservation Area) Act 1990, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposal has been given to the Royal Commission on Historical Monuments, 23 Savile Row, London, W1 2HE and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it'.

APPLICATIONS TO CARRY OUTWORKS TO TREES COVERED BY TREE PRESERVATION ORDERS

If you disagree with our decision, you can appeal to the Secretary of State for the Environment, Transport and the Regions. If you want to appeal, you must do so by writing to Environment Appeals Administration, Room 4/04 Kite Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN, Tel: 0303 444 5000, or log on to: www.planning-inspectorate.gov.uk/pins/appeals/tree_preservation/, within 28 days from the date you receive this decision. If your appeal is successful, the Secretary of State may cancel the certificate

If you suffer any loss or damage as a result of this refusal of consent, you may be entitled to recover from the Council compensation. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the Secretary of State, within 12 months from the date of his decision). Claims should be made in writing to Phil Poulton, Council Offices, Brympton Way, Yeovil, Somerset BA20 2HT

NOTES IN RESPECT OF ALL PLANNING APPLICATIONS

- 1) Although planning permission may have been granted, should the proposed work involve the demolition alteration or extension of a Listed Building, Listed Building Consent may also be required before work commences.
- 2) If planning permission has been granted for the development, please note that should this involve any work within the highway such as the construction of a vehicular access the consent of the county Council, as Highway Authority should also be obtained. Please contact The Highways Control Centre, County Hall, Taunton, Somerset TA1 4DY Tel. 01823 357500
- 3) Where planning permission or Listed Building consent has been granted, approval may be required under the Building Regulations before any work is commenced.
- 4) The relevant provisions of the chronically sick and disabled Persons Act 1970 must be complied with.
- 5) The Code of Practice for Access for the Disabled to Buildings, if this permission will result in the provision of a building or premises as defined in Section 76 of the Town and Country Planning Act 1990, as amended, must be complied with.
- 6) Any approved development shall be carried out strictly in accordance with the detailed drawings and specification approved by the local Planning Authority and any conditions upon which such approval is granted shall be strictly observed.
- 7) This permission does not authorise you to stop up or divert a public right of way to enable the development permitted to be carried out. Separate legal steps are necessary for this and, if required, further information in connection therewith can be obtained from the Rights of Way Officer, South Somerset District Council, The Council Offices, Brympton Way, Yeovil, Somerset, BA20 2HT.

NOTES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

- 1) If the applicant is aggrieved by the decision of the local Planning Authority to refuse consent for the display of the advertisements or grant consent subject to conditions, he may, by notice served within two months of the date of this notice or such longer period as the Secretary of State may allow, appeal to the Secretary of State for the Department of Communities and Local Government in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel 0303 444 5000). The Secretary of State is not, however, required to entertain an appeal if it appears to him that consent to the proposed display of advertisements could have not been granted by the Local Planning Authority, otherwise than subject to the conditions imposed by them.

DISCHARGING PLANNING CONDITIONS

Please note that as part of the new fees regulations, the Government has introduced a new charge for handling a request to discharge planning conditions.

This means a request to discharge a condition or number of conditions will now incur a fee of £116 (£34 for conditions on householder applications). There will not be a fee for discharging conditions on Listed Building Consents.

It would be advisable to submit details for all the relevant conditions in one go, as a fee will be charge for each submission.

Please arrange to forward a cheque made payable to South Somerset District Council to enable us to process your request, Alternately, if you prefer you can make an on-line payment via our website using the following link:

<https://legacy.southsomerset.gov.uk/indigo.aspx?caseServiceID=25419>