

Regeneration & Planning
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Scarborough Borough Council

Haskoning UK Ltd (Ms K Basford)
Marlborough House
Marlborough Crescent
Newcastle Upon Tyne
NE1 4EE

Your Ref
Our Ref 13/00146/SCR

17 January 2013

Dear Sir or Madam

Notification of a Valid Application

Proposal	Flood alleviation scheme
Site Address	Church Street Whitby North Yorkshire
Applicant	Haskoning UK Ltd (Ms K Basford)

Thank you for your application which I received on 16 January 2013 for the proposals as described above. The Case Officer for this application is **Mrs C Bruce**, whose contact details are above.

If by 6 February 2013:

- you have not been told that your applications is invalid, or
- you have not been given a decision in writing, or
- you have not agreed in writing to extend the period in which the decision may be given,

then you can appeal to the Secretary of State under Sections 78 and 79 of the Town & Country Planning Act 1990 against non-determination of the application. You must appeal within **twelve weeks** in the case of refusal of an application on a single dwelling house (Householder Application) or **six months** in all other cases, or, if the development in your application is the same or substantially the same as development that is currently the subject of an enforcement notice, 28 days. If an enforcement notice is served relating to the same or substantially the same development as in your application, then the time limit to appeal will expire 28 days after the enforcement notice is served – except that you will have a minimum of 28 days to appeal after the right of appeal begins, and the time limit will expire no later than it would if there were no enforcement notice. NB The term 'single dwelling house' is not applicable to flats in this instance. Appeals forms and guidance can be downloaded from the web site www.planning-inspectorate.gov.uk or they can be obtained from **The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN**. This does not apply if your application has already been referred to the Secretary of State.



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However, before pursuing such an appeal you are strongly advised to contact the Case Officer to discuss why the application has not been determined, because when an appeal is lodged, the decision is taken out of the hands of the Local Planning Authority and will be further delayed.

At any time after registration, we may require further information to help progress the application. If the Case Officer feels that the proposal, as submitted, is unacceptable but can be amended to obtain a favourable recommendation, they will normally contact you to discuss possible revisions, unless similar advice was offered before submission of the application.

If I find that your application is subsequently invalid because it does not comply with the statutory requirements then I shall write to you again as soon as I can. We will aim to determine your application within eight weeks, although this is not always possible. Please note that if your application is found to be invalid the statutory eight week period for determination will start again from the new date on which the application becomes valid. (Please note your application description may have been altered for clarity and brevity, should you have any objection to these changes please get in touch so that we can discuss this with you. It is important that descriptions are clear so that members of the public can understand them, and also they need to be quite succinct for administrative reasons.)

Planning Officers are under great pressure from all sides, including the applicant, objectors, supporters, the media, neighbours and consultees to provide information. Therefore the onus is on applicants or their agents to request information on the progress of applications eg if and when the application is to be considered by Committee and the likely recommendation.

Initial information about whether the application will be decided by a Planning Committee or under the scheme of delegation is available on the Borough Council's website (www.scarborough.gov.uk). Not less than fifteen working days after registration, applicants or their agents can request information on the progress of their application. Officers may not be in a position to advise applicants of the likely recommendation or date for the decision until all information has been obtained, eg after the consultation responses have been received. The Case Officer will give further advice on whether the application will be decided by a Planning Committee or under delegated powers and on a possible committee date, but this cannot be guaranteed until each agenda is finalised (approximately a week before the Committee meeting).

The Planning Committee agenda, including the Officer's report and recommendations will be published on the Borough Council's web site 5 clear working days before the Committee meeting. This site also contains the schedule of Committee meetings.

Should the application be considered by committee, rather than delegated to officers for determination, members of the public have a right to speak at the appropriate planning committee, subject to details laid down by the Scheme of Public Speaking. Details of the scheme can be obtained by telephoning 01723 232323. Note, arrangements to speak must be made at least 2 clear working days before the appropriate committee.

I must also draw your attention to the fact that the development applied for should not be started until planning permission and, where necessary, Building regulation approval has been obtained. Failure to comply with these requirements could result in formal enforcement action and/or prosecution. Moreover, please note that no planning permission is effective until the written Decision Notice has been received.

If you have any queries please contact either the named case officer or planning support team.

Yours faithfully

J Low

Mrs J Low
Planning Manager