

## Swift, Deborah

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**From:** planning.scanning@york.gov.uk  
**Subject:** FW: Notification for Invalid Planning Application - 21/02304/FUL

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**From:** Mark Holloway <mh@HJCE.co.uk>  
**Sent:** 27 October 2021 19:10  
**To:** Bell, Victoria <Victoria.Bell@york.gov.uk>  
**Cc:** planning.submissions@york.gov.uk  
**Subject:** RE: Notification for Invalid Planning Application - 21/02304/FUL

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Hi Victoria,

Thanks for the info. Our client has transferred the extra fee and would like to push on with the application. We will source the Ecology survey ASAP. Ideally if you could validate the application without it please and we will get everything over as quickly as we can. We are happy to extend the normal determination timescales if that helps.

Kind regards

Mark Holloway  
HJ Consulting Engineers Ltd

Tel.- 01924 824433  
Direct - 01924 570048  
Mob. -  
email. - [mh@hjce.co.uk](mailto:mh@hjce.co.uk)

**Company Name:** HJ CONSULTING ENGINEERS LIMITED  
**Registration Number:** 06689016  
**Correspondence Address:** Connaught House, Park View, Lofthouse, Wakefield, WF3 3HA  
**(Registered Office:** Marland House, 13 Huddersfield Road, Barnsley, S70 2LW)

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**From:** Bell, Victoria <[Victoria.Bell@york.gov.uk](mailto:Victoria.Bell@york.gov.uk)>  
**Sent:** Wednesday, October 27, 2021 10:24 AM  
**To:** Mark Holloway <[mh@HJCE.co.uk](mailto:mh@HJCE.co.uk)>  
**Cc:** [planning.submissions@york.gov.uk](mailto:planning.submissions@york.gov.uk)  
**Subject:** RE: Notification for Invalid Planning Application - 21/02304/FUL

Dear Mr Holloway

We do have a pre-application advice service, the following link will take you to the forms: <https://www.york.gov.uk/downloads/download/797/pre-application-planning-advice-form> .

If you wish to continue with the planning application we will require the ecology surveys. Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC) requires all public bodies to have regard to biodiversity conservation when

carrying out their functions. In the exercise of their functions local planning authorities (LPAs) are also required to have regard to the requirements of Regulation 9 of The Conservation of Habitats and Species Regulations 2010 (as amended) (Habitats Regulations) which states that that public bodies must exercise their nature conservation functions so as to comply with the Habitats Directive.

Technically we can validate the application without the surveys however we would not be able to progress the application to a positive conclusion without the surveys. Local planning authorities are legally obliged to consider whether protected species are likely to be affected by any proposed development before determining the planning application. When it is reasonably likely that protected species will be present at or affected by a scheme, we require that a survey (which is up to date and undertaken at the correct time of year) is submitted in order to assess the potential presence of protected species. It is not something that can be dealt with by condition, the information is required prior to determination as it will impact how the application is assessed.

Kind regards

Victoria Bell

Victoria Bell | Development Management Officer  
t: 01904 551347 | e: [victoria.bell@york.gov.uk](mailto:victoria.bell@york.gov.uk)

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#### Coronavirus update

There are a number of changes in the way the CYC Development Services are working during the current Coronavirus situation. Development Services are now working remotely away from the office. We ask that you assist in this process and communicate with us by email and telephone and not by posting items to the office address. If your enquiry is urgent please start the subject of your email with the word 'urgent' and where possible tick the urgent marker in options. Thank you

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**From:** Mark Holloway <[mh@HJCE.co.uk](mailto:mh@HJCE.co.uk)>  
**Sent:** 26 October 2021 18:49  
**To:** [planning.submissions@york.gov.uk](mailto:planning.submissions@york.gov.uk)  
**Cc:** Paul Murray <[pm@HJCE.co.uk](mailto:pm@HJCE.co.uk)>  
**Subject:** Notification for Invalid Planning Application - 21/02304/FUL

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Dear Sirs,

We are in receipt of the attached notification. Our client Mr Philip Hodgson is looking to purchase the existing property. He has had an offer accepted and is trying to get an initial view as to whether the style and massing of the proposed development would be acceptable in this location. The property doesn't work for his current family but the location is ideal (hence the proposed).

The Site Investigation/ Ecology surveys etc will take at least a couple of months to complete and this will jeopardise the purchase of the property. Would it be possible to get an early indication of whether the style and massing is acceptable? We were verbally informed that the old outline application or initial advice process couldn't be followed due to current council restrictions and that we would have to submit a full application just to get this initial advice. Our client is more than happy to undertake all of the extra surveys as part of the full application but is really looking for the basic advice for now?

Kind regards

Mark Holloway  
HJ Consulting Engineers Ltd

Tel.- 01924 824433  
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email. - [mh@hjce.co.uk](mailto:mh@hjce.co.uk)

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