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Application Ref:
60130/APP/2021/4249

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

Description of development:

Demolition of existing dwelling and erection a residential building housing 6 flats with associated bins and cycle provision. Removal of corner drop kerb and creation of new drop kerb and widening of front drop kerb

Location of development: 59 Elm Avenue Eastcote

Date of application: 17 November 2021

Plan Numbers: See attached Schedule of plans

Permission is subject to the condition(s) listed on the attached schedule:-

Head of Planning, Transportation and Regeneration

Date: 7 March 2022

- NOTES:
- (i) Please also see the informatives included in the Schedule of Conditions.
 - (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
 - (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

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Application Ref: 60130/APP/2021/4249

SCHEDULE OF CONDITIONS

- 1 · The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 · The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, titled 'Survey Rev. 1st ' and numbered EA59-AP3-1001 Rev. 1, EA59-AP3-1002 Rev. 1st, EA59-AP3-1003 Rev. C, EA59-AP3-1004 Rev. A, EA59-AP3-1005 Rev. A, EA59-AP3-1005 Rev. A, EA59-AP3-1007 Rev. A, EA59-AP3-1008 Rev. A, EA59-AP3-1009 Rev. A and EA59-AP3-1011 Rev. A (all received on 26.01.2022) and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

- 3 · No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

SCHEDULE OF CONDITIONS

- 4 . Prior to the commencement of any site clearance, demolition or construction work, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:
- (a) The phasing of development works
 - (b) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours)
 - (c) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities)
 - (d) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours)
 - (e) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process
 - (f) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 5 . The development hereby permitted shall not be commenced until a detailed design and method statement (in consultation with London Underground), has been submitted to and approved in writing by the Local Planning Authority. The design and method statement shall:
- i) Provide demolition and construction details on all structures;
 - ii) Provide details on the use of scaffolding and tall plant; and
 - iii) Mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statement in order to procure the matters mentioned in the above paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

REASON

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with Policy T3 of the London Plan (2021).

SCHEDULE OF CONDITIONS

- 6 . No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management and water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. Include a timetable for its implementation; and
 - iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. Provide details of water collection facilities to capture excess rainwater;
- v. Provide details of how rain and grey water will be recycled and reused in the development;
- vi. Provide details of how the dwellings will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI2 and SI 13 of the London Plan (2021).

- 7 . Prior to the commencement of the development hereby approved, a sustainability and energy statement shall be submitted to and approved in writing by the Local Planning Authority. The sustainability and energy statement shall demonstrate how a 10% reduction in carbon dioxide emissions beyond Building Regulations requirement Part L 2013 (TER Baseline) has been achieved including full technology specifications and locations.

REASON

To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

SCHEDULE OF CONDITIONS

- 8 . Notwithstanding the approved drawings and prior to any works on site above damp proof course level, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -
1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100)
 - 1.b Written specification of planting and cultivation works to be undertaken
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
 2. Details of Hard Landscaping
 - 2.a Refuse Storage (including dimensions, external finishes and design)
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including details of how the parking spaces will be allocated and details of provision of one 'active' and three 'passive' electric vehicle charging points)
 - 2.e Hard Permeable Surfacing Materials
 - 2.f External Lighting
 4. Details of Landscape Maintenance
 - 4.a Landscape Maintenance Schedule for a minimum period of 5 years
 - 4.b Proposals for the replacement of any tree, shrub, or area of turfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased
 5. Schedule for Implementation
 6. Other
 - 6.a Proposed finishing levels or contours
 - 6.b. Details of ecological enhancements

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities and ecology of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DEMI 7 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policies G5 and G6 of the London Plan (2021).

SCHEDULE OF CONDITIONS

- 9 · No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed;

2.d No materials or waste shall be burnt; and

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

- 10 · Prior to the occupation of the development hereby approved, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would adhere to the principles of Secure by Design. The development shall be carried out and retained in accordance with the agreed details.

REASON

To ensure that the development meets Secure By Design principles in accordance with Policy D11 of the London Plan (2021).

SCHEDULE OF CONDITIONS

- 11 · Prior to the occupation of the development hereby approved, the timber features on the front and rear gables as detailed on approved drawing number EA59-AP3-1006 Rev. A (received on 26.01.2022) shall be installed in accordance with the material and external surface details approved as part of Condition 3 of this permission.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 12 · Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON

To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

- 13 · Prior to the occupation of the development hereby approved, the two ground floor flats labelled as Flats 1 and 2 on drawing number EA59-AP3-1011 Rev. A (received on 26.01.2022) shall be constructed to meet the standards for a Category 3, M4(3)(2)(a) Wheelchair Adaptable Standard dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, with all such provisions remaining in place for the life of the building.

REASON

To allow the Building Control body to check compliance of the development against the optional Building Regulations standards, and ensure an appropriate standard of housing, in accordance with policy D7 of London Plan (2021).

- 14 · No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point and the internal floor level of the development shall be set at a minimum 300mm above natural ground level in accordance with the recommendation of paragraph 9.2 of the Flood Risk Assessment dated 5th January 2021 (reference: WTFR-FRA-2020/12/Q22).

Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties and to limit the risk of surface water flooding in accordance with Policies DMHB 11 and DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy SI 12 of the London Plan (2021).

SCHEDULE OF CONDITIONS

- 15 · No additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 16 · Notwithstanding the approved drawings, the first floor windows, and second floor dormer windows and roof lights facing number 57 Elm Avenue as detailed on approved drawing number EA59-AP3-1004 Rev. A (received on 26.01.2022) shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 17 · The side bedroom window serving Flat 2 as detailed on approved drawing number EA59-AP3-1003 Rev. C (received on 26.01.2022) shall be obscure glazed to at least scale 4 on the Pilkington scale up to 1.5 metres taken from the internal floor level for so long as the development remains in existence.

REASON

To protect the privacy of the future occupants of Flat 2 in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 18 · Prior to the occupation of the development hereby approved, the redundant existing vehicular crossovers from the site to Elm Avenue as shown on approved drawing number EA59-AP3-1003 Rev. C, EA59-AP3-1009 Rev. A and EA59-AP3-1011 Rev. A (all received on 26.01.2022) shall be permanently closed. The crossover perpendicular to Elm Avenue shall have new kerb stones and surfacing to tie in with the existing but the crossover at the junction of Elm Avenue and Oak Grove shall have kerb stones of sufficient height to deflect vehicles that would otherwise overrun the footway. All works are to be reinstated in a manner to be agreed in writing by the Local Planning Authority.

REASON

In the interest of highway safety and the visual amenity of the area in accordance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

- 19 · Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6 metres along the front boundary of the site adjacent to Elm Avenue.

REASON

In the interest of highway safety and the visual amenity of the area in accordance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

SCHEDULE OF CONDITIONS

- 20 . Notwithstanding the approved drawings the vehicle crossovers shall be constructed to dimensions of 5.4m flat kerbs stones with 0.6m tapers with a minimum of 4.8m at back of footway. Each double crossover must be separated as an absolute minimum by one 0.9m full kerb face to accord with the Council's Domestic Vehicle Footway Crossover Policy 2021.

REASON

In the interest of highway safety and the visual amenity of the area in accordance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

- 21 . Prior to commencement, details of the proposed works to the embankment, including any excavation, shall be confirmed in writing to the Local Planning Authority. This shall include a conditions survey of the adjoining footway on Oak Grove, details of how the integrity of this foot way will be maintained, and a commitment to the repair of any damage to this footway as a result of adjacent works during the construction and operation of the development.

REASON

To ensure that the development does not compromise the structural integrity of the embankment adjoining Oak Grove and does not in turn compromise the safety of pedestrians or highway users, in accordance with Policies DMT 2 and DMT 5 of the Hillingdon Local Plan: Part 2 (2020).

INFORMATIVES:

- 1 . In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- 2 . The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 3 . The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies

DMCI 7 Planning Obligations and Community Infrastructure Levy

SCHEDULE OF CONDITIONS

DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H10	(2021) Housing size mix
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment

SCHEDULE OF CONDITIONS

NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF6	NPPF 2021 - Building a strong, competitive economy
NPPF9	NPPF 2021 - Promoting sustainable transport

- 4 . Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

- 5 . Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-
- A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by

SCHEDULE OF CONDITIONS

means that would minimise disturbance to adjoining premises.

- 6 . All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).
- 7 . The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.
- 8 . You are advised by London Borough of Hillingdon, Highways Management, that any works on the Highway, in relation to the reinstatement of any existing vehicle access, must be carried out with approval from the Highway Authority. Failure to reinstate an existing vehicle access will result in the Highway Authority completing the works, and the developer may be responsible for the costs incurred. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW.
- 9 . The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

- 10 . Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

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- 11 . Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species. Therefore, if applicable, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for carrying out the approved works.

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

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Flood Risk Assessment dated 5th January 2021, Ref: WTFR-FRA-2020/12/Q22 - received 17 Nov 2021

Parking Survey dated December 2020 - received 17 Nov 2021

Daylight and Sunlight Assessment for Planning Issued: December 2020, Issue: 1, Job No: 3647 - received 17 Nov 2021

EA59-AP3-1010 Rev. 1st - received 26 Jan 2022

EA59-AP3-1011 Rev. A - received 26 Jan 2022

Planning, Design and Access Statement - received 17 Nov 2021

Survey Rev. 1st - received 26 Jan 2022

EA59-AP3-1001 Rev. 1st - received 26 Jan 2022

EA59-AP3-1002 Rev. 1st - received 26 Jan 2022

EA59-AP3-1003 Rev. C - received 26 Jan 2022

EA59-AP3-1004 Rev. A - received 26 Jan 2022

EA59-AP3-1005 Rev. A - received 26 Jan 2022

EA59-AP3-1006 Rev. A - received 26 Jan 2022

EA59-AP3-1007 Rev. A - received 26 Jan 2022

EA59-AP3-1008 Rev. A - received 26 Jan 2022

EA59-AP3-1009 Rev. A - received 26 Jan 2022

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

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 office of the First Secretary of State 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, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424). Appeal forms can be downloaded from the Planning Inspectorate's website at www.Planning-inspectorate.gov.uk

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

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 an 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 imposed, having regard to the statutory requirements, to the provisions 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 officer of the First Secretary of State 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 by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) 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.