EASTLEIGH BOROUGH COUNCIL

PER, POL, ARM, PRT

## NOTIFICATION

(1) 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 under section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. Appeals should be made online via Appeal a planning decision. If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available. The Planning Inspectorate will publish details of your appeal on the internet. Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at Make an appeal to the Planning Inspectorate and associated guidance. The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. (The statutory requirements are those set out in Section 79(6) & (6A) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act). If the applicant is responsible for undue delay the Secretary of State may give notice to the applicant that the appeal may be dismissed.

(2) In cases where a Government Department has expressed views on the proposals which are incorporated in the reasons for the imposition of conditions and the applicant wishes to lodge an appeal against such a decision then a representative from that Government Department will attend any Planning Inquiry and be available to give evidence if the appellant asks for the presence of such a witness at the Inquiry. In such cases the appellant should notify the Council at the address given on the front of this form without delay. The representative would not be liable to cross-examination on questions of Ministerial policy but only on matters of fact and expert opinion.

(3) If permission to develop the land is granted subject to conditions whether by the Local Planning Authority or by the Secretary of State 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 the carrying out of any development 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 Part V1 of the Town and Country Planning Act 1990. (SS 137-148).

(4) The applicant is recommended to retain this decision notice with the title deeds of the property.

## IMPORTANT

Any failure to adhere to the details of the plans hereby approved or to comply with any conditions detailed in this notice constitutes a contravention of the provisions of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken. If it is desired to depart in any way from the approved proposals, you should consult the Heads of Development and Building Control, Eastleigh Borough Council before carrying out the development.

## NOTES:

(1) This permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act 1990, otherwise than under Sections 70-76, or which may be required under any other Acts, including Byelaws, Orders or Regulations made under such other Acts.

(2) Developers are reminded that the grant of planning permission does not entitle them to obstruct a right of way and that if it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay.

(3) Attention is drawn to the provisions of Section 12 of the Hampshire County Council Act 1983 relating to access for the Fire Brigade. A copy of the Section can be obtained at the Local Planning office.

(4) Attention is drawn to the need to consult British Gas (Southern) as to the existence of gas pipes which may be affected by the proposed development, Southern Water for works in connection with a public sewer, and Southern Electricity for electricity supplies.

(5) This permission does not convey any approval or consent or imply this Council's agreement to relax or revoke any covenant held by this Council on this property.

(6) Under the Town and Country Planning [Fees for Applications and Deemed Applications][Amendment][England] Regulation 2008, a fee is now required for Discharge of Condition Applications. Conditions not fully discharged invalidate the planning permission.

## IMPORTANT NOTICE. BUILDING ACT 1984. BUILDING REGULATIONS 1991

It should be noted that if your proposals include the carrying out of one or more of the following building operations, Building Regulations Approval may also be required.

(a) The erection or extension of a building.

(b) The provision or extension of a controlled service or fitting in or in connection with a building.

(c) The material alteration of a building, or a controlled service or fitting.

(d) The material change of use of a building.

(e) The insertion of insulating material into the cavity of a building.

(f) Work involving the underpinning of a building.

If in doubt and/or you require further information or advice upon this matter please contact the Authority's Building Control Unit direct on 023 8083 3006 (Option 4).