

Rights of Applicants Aggrieved by Decision of Local Planning Authority

If you are aggrieved by the decision of the 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.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.

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 following sets out the timeframes within which an Appeal should be made to the Secretary of State if the local planning authority has taken the decision to refuse your application:

Householder applications – alterations / extensions to a residential dwelling, including works within boundary

If you want to appeal against the local planning authority's decision then you must do so within **12 weeks** of the date of this notice.

Minor commercial applications - changes to commercial properties (shop, restaurant, take-away, drinking establishment and financial institution) at ground floor level, which does not increase the floor area or change the use of the building, for instance: installation of shop front, ATM or air conditioning units, alteration to doors and windows etc.

If you want to appeal against the local planning authority's decision then you must do so within **12 weeks** of the date of this notice.

Advertisements - display of an advertisement

If you want to appeal against the local planning authority's decision then you must do so within **8 weeks** of the date of receipt of this notice.

All other types of applications - which covers none of the above, for instance: major applications, discharge / variation of a condition, change of use etc.

If you want to appeal against the local planning authority's decision then you must do so within **6 months** of the date of this notice.

Enforcement Notices:

If a decision on a planning application relates to the same or substantially the same land, which is already the subject of an enforcement notice and you want to appeal against the local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the

enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Should you require any further assistance with the above, please contact the local planning authority on 01753 477340 or visit <http://www.planningportal.gov.uk/planning/appeals/>