

SCHEDULE 1

Regulations 3 and 4

PART I NOTIFICATION TO BE SENT TO APPLICANT ON RECEIPT OF APPLICATION

Your application dated _____ was received on _____ (a). ~~*[Examination of the form of application and accompanying plans and documents to ascertain whether your application complies with the statutory requirements has not been completed.~~

~~If on further examination it is found that the application is invalid for failure to comply with such requirements (or for any other reason) a further communication will be sent to you as soon as possible.]~~

If by _____ (b) ~~*[you have not received notification that your application is invalid and] this authority have not given you notice of their decision (and you have not agreed with them in writing that the period within which their decision shall be given may be extended) you may appeal to the Secretary of State in accordance with paragraphs 8 and 9 of Schedule 11 to the Town and Country Planning Act 1971 by notice sent within six months from that date (unless the application has already been referred by this authority to the [Secretary of State for the Environment][Secretary of State for Wales]). Appeals must be made on a form which is obtainable from the [Department of the Environment] [Welsh Office].~~

Notes

(a) Insert date when relevant document(s) referred to in regulation [3(1)], [4(1)]* were received.

(b) Insert date 8 weeks from date of receipt of application (as given at (a)).

*Delete where inappropriate.

PART II NOTIFICATION TO BE SENT TO APPLICANT ON REFUSAL OF LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT, OR GRANT OF CONSENT SUBJECT TO CONDITIONS (TO BE ENDORSED ON NOTICES OF DECISION)

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent or conservation area consent for the proposed works, or to grant consent subject to conditions, he may appeal to the [Secretary of State for the Environment][Secretary of State for Wales] in accordance with paragraph 8 of Schedule 11 to the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the [Department of the Environment] [Welsh Office]). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(2) If listed building consent or conservation area consent is refused, or granted subject to conditions, whether by the local planning authority or by the [Secretary of State for the Environment] [Secretary of State for Wales], 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 works which have been or would be permitted, he may serve on the council of the district, or London borough in which the land is situated (or, where appropriate, on the Common Council of the City of London) a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 190 of the Town and Country Planning Act 1971.

(3) In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 171 of the Town and Country Planning Act 1971.

PART III NOTIFICATION TO BE SENT TO APPLICANT ON REFUSAL TO VARY OR DISCHARGE CONDITIONS ATTACHED TO LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT, OR ON THE ADDITION OF NEW CONDITIONS CONSEQUENTIAL UPON VARIATION OR DISCHARGE

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

If the applicant is aggrieved by the decision of the local planning authority—

- (a) to refuse to vary or discharge the conditions attached to a listed building consent or a conservation area consent; or
- (b) to add new conditions consequential upon any such variation or discharge.

he may appeal to the [Secretary of State for the Environment] [Secretary of State for Wales] in accordance with paragraph 8 of Schedule 11 to the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the [Department of the Environment] [Welsh Office]). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.