

Notes to accompany a planning decision ^{v3}

Planning Services Team 01424 451090

www.hastings.gov.uk/planning_planning@hastings.gov.uk



Town and Country Planning Act 1990

Appeals against decision

You can appeal to the Planning Inspectorate if you are unhappy with our decision to refuse permission for your proposed development. You can also appeal if the application has been granted with conditions that you are unhappy with. (Section 78 of the Town and Country Planning Act 1990)

Householder applications

If you wish to appeal our decision on your householder planning application, you must do this within 12 weeks of the date of the planning decision notice.

Minor commercial applications

If you wish to appeal our decision on your minor commercial planning application, you must do this within 12 weeks of the date of the planning decision notice.

All other applications

If you wish to appeal our decision against any other planning application, you must do so within 6 months of the date of the planning decision notice.

Enforcement related cases

You may have made a planning application because we have served an enforcement notice on the land or development. If this is the case, you only have 28 days from the date of the planning decision notice to appeal our decision to refuse your planning application.

We may serve an enforcement notice relating to the same development or land after we have refused your planning application. If we do so, you can still appeal our decision on your planning application. You must do so within 28 days from the date of the enforcement notice or 6 months (12 weeks for householder applications) from the date of the planning decision notice whichever date is earlier.

How to appeal

Appeals can be made online at www.gov.uk/appeal-planning-inspectorate. Alternatively you can contact The Planning Inspectorate to ask for forms to be sent in the post.

The Planning Inspectorate
Room 4a
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Planning Inspectorate customer support team
0303 444 5000 enquiries@pins.gsi.gov.uk

If you want a planning appeal to follow the inquiry procedure, you will need to tell us and the Planning Inspectorate. This must be done at least 10 days before your appeal submission. To tell us and the planning inspectorate, please email:

Planning Inspectorate: inquiry@planninginspectorate.gov.uk

Planning Services: planning@hastings.gov.uk

Further details about the inquiry procedure can be found at <https://www.gov.uk/government/news/inquiries-review-notification-of-inquiry-as-preferred-procedure-now-required-10-days-prior-to-appeal-submission>.

Please go to <https://www.gov.uk/appeal-planning-decision> for more information about how to appeal a planning decision.

Compliance with planning conditions

If you fail to comply with any condition on a planning decision we may take enforcement action.

Variations from approved plans

The development must be in accordance with the approved plans. Changes to the approved plans or details will normally need a new planning application to be submitted. You should note that:

- Any application for an amendment will be subject to consideration for approval or refusal either by the Planning Committee or by the Planning Services Manager under their delegated powers.
- Individual council officers do not have any powers to approve any amendments or vary a committee decision.
- No work should be done until a formal approval in writing is received. If it is necessary to carry out some works for safety or other reasons it will be entirely at the owner's or applicant's risk.

Any work carried out that is different to the approved plans may lead to enforcement action.

Purchase notices

When a planning application to develop land is refused or is granted subject to conditions, the owner may claim that the land can't be put to beneficial use as result of our decision. In these cases, the owner may serve a purchase order on the council. The council will be required to purchase the owners interest in the land. (Part IV of the Town and Country Planning Act 1990)

Commencement of development

If planning permission has been granted for the development, the decision notice will state a period of time when works must commence. This will be the earliest date that any work described in the application begins. (Section 56 of the Town and Country Planning Act 1990)

Completion notices

The council can serve a completion notice on a development. This would apply if work starts on site within the commencement period defined on the decision notice, but the development is not completed in a reasonable time scale. The completion notice will state a date when works must be completed by. If work is not completed by this time, the planning permission will cease. (Sections 94 and 95 of the Town and Country Planning Act 1990)

Fire brigade access

If planning permission has been given for a new building or an extension to an existing building, plans must be submitted under Building Regulations that show adequate means of access for the Fire brigade and their appliances. The works must also not prevent access to neighbouring buildings. For further information please contact East Sussex Building Control at building.control@wealden.gov.uk. (Section 35 East Sussex Act 1981)

Provision for the disabled

The following legislation and guidance applies if the public will be admitted to the building to which the planning permission applies:

- The Chronically Sick and Disabled Persons Act 1970

- The Code of Practice for Access of the Disabled to Buildings (BSI Code of Practice BS5810: 1979) or any replacement document
- The Offices, Shops and Railway Premises Act 1963
- Health and Safety at Work etc. Act 1974)
- Equality Act 2010

This permission does not grant any approval or consent which may be required under any enactment, by-law, order or regulation other than the Town and Country Planning Act 1990 or the Planning (Listed Buildings and Conservation Areas) Act 1990.