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Planning and Building Service
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Web site www.testvalley.gov.uk

Contact: Miss Emma Jones
Telephone: [REDACTED]
E-mail: planning@testvalley.gov.uk
Your ref:
Our ref: 25/01047/FULLN
Date: 3rd October 2025

TOWN AND COUNTRY PLANNING ACT, ORDERS AND REGULATIONS

NOTICE OF FULL PLANNING PERMISSION

APPLICATION NO: 25/01047/FULLN
PROPOSAL: Closure/stopping up and removal of southbound carriageway of Western Avenue gyratory and associated changes to the highway network, including West Street and Waterloo Court, to allow for the development of a park with areas of hard and soft landscaping, play areas, lighting, pavilion, river viewing platforms and an off-road cycleway
LOCATION: Western Avenue, Andover, Hampshire
DATE REGISTERED: 15.05.2025

In pursuance of its powers under the above mentioned Act the Council, as local planning authority, hereby grants full planning permission for the above development in due compliance with all conditions and notes specified hereunder:

01. The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
02. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:
 - o 12766-LUC-XX-XX-DR-L-0100-S2-P02
 - o 12766-LUC-XX-XX-DR-L-0001-S2-P08
 - o 12766-LUC-XX-XX-DR-L-0002-S2-P04
 - o 12766-LUC-XX-XX-DR-L-0610-S2-P01

- o 12766-LUC-XX-XX-DR-L-0603-S2-P01
- o 12766-LUC-XX-XX-DR-L-0606-S2-P01.1
- o 12766-LUC-XX-XX-DR-L-0605-S2-P01
- o 12766-LUC-XX-XX-DR-L-0607-S2-P01
- o 12766-LUC-XX-XX-DR-L-0601-S2-P01
- o 12766-LUC-XX-XX-DR-L-0604-S2-P01
- o 12766-LUC-XX-XX-DR-L-0602-S2-P01
- o 12766-LUC-XX-XX-DR-L-0010-S2-P02
- o CJ009625-HEH-HGN-40012558-DR-CH-1012 S2 P02
- o CJ009625-HEH-HGN-40012558-DR-CH-1008 S2 P03
- o CJ009625-HEH-HGN-40012558-DR-CH-1001 S2 P03
- o CJ009625-HEH-HGN-40012558-DR-CH-1004 S2 P03
- o CJ009625-HEH-HGN-40012558-DR-CH-1005 S2 P03
- o CJ009625-HEH-HGN-40012558-DR-CH-1000 S2 P04
- o CJ009625-HEH-HGN-40012558-DR-CH-1002 S2 P04
- o CJ009625-HEH-HGN-40012558-DR-CH-1014 S2 P01
- o CJ009625_HEH-HGN-40012558-DR-CH-1015-S2 P02
- o CJ009625_HEH-HGN-40012558-DR-CH-1017-S2 P01
- o CJ009625_HEH-HGN-40012558-DR-CH-1016-S2 P02
- o CJ009625_HEH-HGN-40012558-DR-CH-3501-S2 P02
- o CJ009625_HEH-HGN-40012558-DR-CH-1018-S2 P01
- o CJ009625_HEH-HGN-40012558-DR-CH-2501-S2 P02
- o CJ009625_HEH-HGN-40012558-DR-CH-2502-S2 P02
- o CJ009625-HEH-HGN-40012558-DR-CH-1006 S2 P03
- o CJ009625-HEH-HGN-40012558-DR-CH-0001 S2 P01
- o CJ009625-HEH-HGN-40012558-DR-CH-0002 S2 P02
- o CJ009625-HEH-HGN-40012558-DR-CH-0003 S2 P02
- o CJ009625-HEH-HGN-40012558-DR-CH-0004 S2 P01
- o CJ009625-HEH-HGN-40012558-DR-CH-0010 S2 P03
- o CJ009625-HEH-HGN-40012558-DR-CH-1007 S2 P03
- o CJ009625_HEH-HGN-40012558-DR-CH-1020-S2 P01
- o CJ009625_HEH-HGN-40012558-DR-CH-1021-S2 P02
- o CJ009625_HEH-HGN-40012558-DR-CH-1022-S2 P02
- o CJ009625_HEH-HGN-40012558-DR-CH-1023-S2 P01
- o CJ009625-HEH-HGN-40012558-DR-CH-1011 S2 P04

Reason: For the avoidance of doubt and in the interests of proper planning.

03. No development shall take place (other than vegetation clearance) until a programme of archaeological monitoring (watching brief) during the relevant stages of groundwork, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: Details are required prior to the commencement of development to ensure that any archaeological features found during groundworks can be recognised and recorded in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.

04. Should the archaeological monitoring identify remains of a significance to warrant mitigation, then no further development shall take place (other than vegetation clearance) until a programme of archaeological mitigation of impacts of the development on any such remains has been submitted to and approved in writing by

the Local Planning Authority. The archaeological mitigation shall be carried out in accordance with the approved details.

Reason: In order to determine what measures are required to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations in accordance with Policy E9 of the Test Valley Borough Revised Local Plan 2016.

05. No development shall take place until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.

Reason: Details are required prior to the commencement of development to ensure a safe environment including during construction in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

06. No development shall take place until assessments of air and noise (including vibration) impacts arising from the demolition and construction works have been carried out, and detailed mitigation schemes to address identified impacts have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall demonstrate the adoption and use of the best practicable means to minimise the effects of noise, vibration, dust. Development shall be carried out in accordance with the approved details.

Reason: Details are required prior to the commencement of development in the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

07. Notwithstanding the details submitted, no development shall take place (other than vegetation clearance and demolition) until full details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Details shall include: proposed finished levels or contours; means of enclosure; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.). Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes, and proposed numbers/densities. The landscape works shall be carried out in accordance with the approved details.

Note: Southern Water has restrictions on tree planting adjacent to sewers, rising mains or watermains. Reference should be made to Southern Water's publication "A Guide to Tree Planting near Water Mains and Sewers" and the Sewerage Sector Guidance.

Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area, and to protect existing water supply and sewer infrastructure in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2 and E7.

08. Notwithstanding the details submitted, the development hereby permitted shall not be brought into use until a landscape management plan, including long-term design objectives and arrangements for its implementation, including management responsibilities and maintenance schedules (for a minimum five year period), for all hard and soft landscaped areas (including play facilities and water features) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate maintenance of all landscaped areas in the development having regard to policy E2 of the Test Valley Borough Revised Local Plan 2016.

09. No foundations associated with the pavilion, river viewing platforms and play equipment shall be installed and no demolition works carried out until full details, including in relation to the proximity of these to the existing water supply and sewer infrastructure, have been submitted to and approved in writing by the Local Planning Authority. If required detailed specification of construction work required to accommodate the existing below ground infrastructure shall also be submitted for approval. Development shall be carried out in accordance with the approved details.

Reason: To protect existing water supply and sewer infrastructure in accordance with Test Valley Borough Revised Local Plan (2016) Policy E7.

10. No lighting shall be installed in association with the operation of the park hereby permitted until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall comply with the advice and guidance of the Institute of Lighting Professionals Guidance Note GN01/21, "The Reduction of Obtrusive Light", and the submitted details shall demonstrate that these have been met in respect of light intrusion, light spill, bright luminaires, and upward light ratio (ULR) of luminaires. The lighting scheme shall also comply with Guidance Note 08/23: Bats and Artificial Lighting at Night unless areas of compromise are specified to be needed in balancing the requirements of highway and public safety, against that of protected species and wider ecological interests. The lighting shall be installed and operated in accordance with the approved details.

Reason: In the interests of residential and visual amenity, community, and highway safety, and to prevent disturbance to protected species where that is possible in accordance with Test Valley Borough Revised Local Plan 2016 Policies E2, E5, E8 and CS1.

11. The existing bin storage provision serving the bus station/Unity shall not be removed until replacement provision has been provided in accordance with details that shall first be submitted to, and approved in writing by, the Local Planning Authority

Reason: in the interests of amenity in accordance with Test Valley Borough Revised Local Plan policy E8.

12. The development hereby permitted shall be carried out in accordance with the tree protective measures set out within the submitted "Arboricultural Impact Assessment" report (prepared by Land Use Consultants Ltd, reference 12766B, dated October 2025) and its associated tree protection plans.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
13. The development hereby permitted shall be carried out in accordance with the provisions contained within the submitted "Flood Risk and Drainage" report (prepared by MEC Consulting Group Ltd, reference 28483-FLD-0101 Rev C, dated May 2025).
Note: No soakaways should be connected to the public surface water sewer.
Reason: To ensure the prevention of an increased risk of flooding and to ensure the improvement and protection of water quality, habitat and amenity in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.
14. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall address and implement the mitigation measures outlined within the Ecological Impact Report (LUC, August 2025) for all relevant protected species and habitats and shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) The removal of invasive non-native species and replacement of such species with native plants.
 - j) Details of implementation of reasonable avoidance measures (RAMs) to reduce likelihood of great crested newts (GCN) being encountered during the works.
 - k) Appropriate mitigation to avoid the disturbance, during construction, of trees identified within the Preliminary Ecological Appraisal (LUC, August 2025) as having bat roosting potential and the river corridor.
- The approved CEMP: Biodiversity shall be fully adhered to and implemented throughout the construction period.
Reason: To protect biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.
15. No development shall take place (including demolition, ground works, vegetation clearance) until a Landscape and Environmental Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives (which coordinate and agree with the findings of the submitted Preliminary Ecological Appraisal (LUC, August 2025).
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period following completion of the CEMP: Biodiversity).
- g) Details of the body or organisation responsible for the implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved development. The LEMP shall be in accordance with the guidance contained within British Standard 42020: Biodiversity - Code of practice for planning and development.

Reason: To protect biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.

16. All vegetation removal and building works shall be undertaken outside of the bird nesting season (avoiding March - August inclusive). Should works be necessary during this period, they shall not commence until a nesting bird check has been undertaken by a suitably qualified ecologist, the results of which shall, along with details of any mitigation required, be submitted to and approved in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

Reason: To protect biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.

17. All trees identified within the Preliminary Ecological Appraisal (PEA) (LUC, August 2025) as having bat roost potential shall be retained.

Reason: To prevent disturbance to protected species in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.

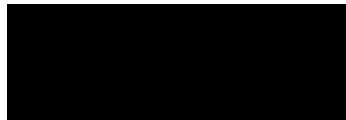
Note(s) to applicant:

- 01. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
- 02. This development has potential to impact Great Crested Newts as there are ponds/waterbodies and suitable habitat within 500m of the development. If Great

Crested Newts are discovered during development, all works must cease until advice has been sought from a suitably qualified ecologist, as failure to do so may result in prosecutable offences being committed.

03. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
- a) Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.
- The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Test Valley Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. However based on the information available this permission is one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. Development shall proceed in accordance with any such approved details, with the approved Biodiversity Gain Plan maintained for the minimum of the 30 years which is set in the Environment Act 2021.
04. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
- o on or within 8 metres of a main river (16 metres if tidal);
 - o on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal);
 - o on or within 16 metres of a sea defence involving quarrying or excavation;
 - o within 16 metres of any main river, flood defence (including a remote defence) or culvert;
 - o in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.
- For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the National Customer Contact Centre.
05. Bats, birds, great crested newts, reptiles, hedgehogs, dormice all receive a level of protection under various legislative provisions. The applicant/developer is reminded that any permission does not absolve them from complying with the requirements set out in legislation separate from planning.

Simon Finch
Head of Planning and Building



Date: 3rd October 2025

All enquiries relating to this decision should be made to the above address.

IMPORTANT NOTE: You are strongly advised to carefully read the attached notes.

TEST VALLEY BOROUGH COUNCIL – PLANNING AND BUILDING SERVICE

IMPORTANT Please read these notes carefully. Part A sets out an applicant's statutory rights under the Town and Country Planning Act 1990, (hereafter called the '1990 Act') and Part B deals with other matters some of which may affect the implementation of any planning permission. Parts C and D (overleaf) deal with Advertisement and Listed Building appeal procedures respectively.

PART A: FORMAL NOTIFICATION

1. Appeals to the Secretary of State: If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval or to grant permission or approval subject to conditions, they may appeal to the Secretary of State under Section 78 of the 1990 Act. Time periods for making an appeal are set out in a) to d) below.

a) If the decision is to refuse a planning permission for a householder or minor commercial application, and you want to appeal against the Local Planning Authority's decision then you must do so within 12 weeks of the date of the decision notice, unless there is also an enforcement notice in which case the time limits in c) and d) below may apply, b) For other types of application [other than Advertisement applications] and appeals against conditions imposed on householder planning permissions the appeal must be made within 6 months of the date of the decision notice, unless there is also an enforcement notice in which case the time limits in c) and d) below may apply.

c) If the decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice served before the date of the decision notice but not earlier than 2 years before the application was made, if you want to appeal against the Local Planning Authority's decision then you must do so within 28 days of the date of the decision notice.

d) If an enforcement notice is served on or after the date of the decision notice relating to the same or substantially the same land and development as in your application the appeal must be made within 28 days from the service of the enforcement notice or within 6 months [12 weeks in the case of a householder appeal] of the date of the decision, whichever period expires earlier.

on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

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 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 with 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. 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.

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 <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.

2. Purchase Notices: If either the Local Planning Authority or the 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 in its existing state nor render the land capable of a reasonably beneficial use by the 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 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.

3. Compensation: 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 a reference of the application to him. The circumstances in which such compensation is payable is set out in Section 114 and related provisions of the 1990 Act.

PART B: OTHER MATTERS RELATING TO THE GRANT OF PLANNING PERMISSION

1. Deviation from the Approved Plans/Compliance with Conditions: Failure to adhere to the approved plans, or to comply with any condition imposed, constitutes a contravention under the 1990 Act which may be liable to enforcement action. Any proposed departure from the approved proposals should be discussed with the Planning and Building Service before development commences.

2. Non Material Amendment applications: These applications do not fall within the range of applications for which section 78 of the 1990 Act grants a right of appeal. The applicant would need to submit a planning application to seek approval for the proposed amendments.

3. Applications to Discharge Planning Conditions

From 1 October 2008 any request for approval of details required by a condition, other than reserved matters following an outline permission, will require the submission of a formal application (preferably on the appropriate 1APP national form) and payment of the relevant fee.

4. Extent of permission: Approval is only granted for the purposes of Sections 70-76 of the 1990 Act and for no other purpose whatsoever under that Act or any other Acts, Bye-laws, Orders or Regulations. In particular, **it does not purport to grant Building Regulation Approval** and the Building Control Team should be contacted before any work is commenced – telephone 01264 368312

5. Building Over Public Sewers and Erection of any Structure in Vicinity of Public Sewer: Planning approval does not include permission from Southern Water Services Ltd. to erect any structure in the vicinity of a public sewer. The applicant is advised to contact the Council's Building Control Consultancy who hold an electronic copy of the map of public sewer's in the borough. Any further advice is available from either this Council's Building Control Consultancy (tel. 01264 368312, or email buildingcontrol@testvalley.gov.uk) or the Development Control Manager, Southern Water Services Ltd., Hampshire Division, Southern House, Sparrowgrove, Otterbourne, Winchester, Hampshire SO21 2SW.

6. Title Deeds: The decision notice is a legal document and should be retained with the title deeds of the property.

7. Rights of Way: If it is necessary to stop up or divert a right of way in order to enable the development to proceed, an application must be made beforehand either to the Council under Section 257 of the 1990 Act or to the Secretary of State under Section 247 of that Act.

8. Fire Brigade Access: Under the provision of part B5 (Access and Facilities for the Fire Service) of Schedule 1 of the Building Regulations adequate means of access for the Fire Authority must be provided to any building. For further advice on this requirement, contact the Council's Building Control Consultancy on tel. 01264 368312 or email buildingcontrol@testvalley.gov.uk.

9. Access for the Disabled: Under the provision of part M of Schedule 1 of the Building Regulations, adequate access should be provided to a building for person's with a disability. Further advice is available from the Council's Building Control Consultancy on tel. 01264 368312, or email buildingcontrol@testvalley.gov.uk, or the Equality Act 2010 and the Equalities Act 2010 (Disability) Regulations 2010.

10. Hours of Working on Building Sites: Complaints are often received about noise nuisance during unsocial hours and attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 and the Code of Practice issued under that Section.

11. Display of Advertisements: The Council encourages developers to co-operate in reducing the adverse effects caused by advertisement clutter on building sites. There is a general policy to challenge and prosecute unauthorised advertisements and, subject to individual circumstances, to restrict advertising on sites to a level consistent with such a policy. Accordingly, attention is drawn to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1989 which, inter alia, regulate the display of advertisements on building sites. An application should be made in respect of any proposal to display an advertisement (including flag poles) which is not expressly granted consent by the Regulations. In certain circumstances, although consent may not be required to display a flag advertisement, permission may be required to erect the pole to which it is attached.

PART C:

ADVERTISEMENT APPEALS

1. You have the right to appeal to the Secretary of State against the local planning authority's:

- (a) refusal of consent for an advertisement;
- (b) grant of consent for an advertisement subject to a condition with which you are dissatisfied;
- (c) failure to issue a decision on an application within a specified time (i.e. 8 weeks from the date the application is formally acknowledged or such longer period you may have agreed in writing with the Council); or
- (d) 'discontinuance notice' requiring you to remove an advertisement, or stop using an advertisement site.

2. The Choice of Appeal Procedure

There is a choice of two possible procedures for the determination of an appeal – written representations or a hearing. For appeals received on or after 1st October 2013 the Planning Inspectorate will determine the procedure an appeal will follow. The vast majority of advertisement appeals will be most suited to the written representations procedure, with the remaining minority proceeding by a hearing. You are required to provide detailed reasons if you indicate that a hearing is necessary.

Please refer to The Planning Inspectorate's guidance note "How to complete your advertisement appeal form – England" dated 3rd October 2013, which can be downloaded from the Planning Portal website <http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess> , or telephone The Planning Inspectorate for a copy on 0303 444 5000, or write to The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

3. The Address for Advertisement Appeals and Appeal Forms

All advertisement appeals have to be submitted to the Planning Inspectorate **within 8 weeks** of the receipt of the local planning authority's decision against which you are appealing. Appeals can be made on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

PART D:

LISTED BUILDING APPEALS

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions to refuse to vary or discharge the conditions attached to a listed building consent, or to add new conditions consequential upon any such variation or discharge, he may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within 6 (six) months of the date of the attached notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal> . 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 is refused, or 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 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 the Council purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Please refer to The Planning Inspectorate's guidance note "How to complete your listed building consent appeal form – England" dated 3rd October 2013 which can be downloaded from the Planning Portal website <http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess> or telephone The Planning Inspectorate for a copy on 0303 444 5000, or write to The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

ONLINE APPEALS SERVICE

The Planning Inspectorate has introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs . The Inspectorate will publish details of your appeal on the internet at this site. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Inspectorate. Please ensure that you only provide information, particularly of a personal nature, that you are happy will be made available to others in this way. If you provide personal information about a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.