The Planning Inspectorate

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16-Nov-2009 14:06

QUESTIONNAIRE (Online Version)

HOUSEHOLDER PLANNING

Appeal Ref:	APP/Y3805/D/09/2116552
Appeal By:	Mr Walter Bush
Address	114 Old Fort Road SHOREHAM-BY-SEA West Sussex
Postcode	BN43 5HB
Grid Reference: Easting	5228262
Northing	1045358

When you have completed this questionnaire you must send a copy, with attachments, to the appellant/agent and to our case officer, **within 5 working days** of the 'starting date'. You can send it to us by e-mail. The start date and case officer's details and e-mail address are in our letter.

Do you agree that the Householder Appeals Service (HAS) written procedure is appropriate for this appeal? Please note there must be exceptional reasons for us to agree to a procedure other than HAS. If your answer is no, please give your reasons below. ☑ YES ☐ NO

NB – An example of an exceptional reason may be where the appellant introduces material new evidence at appeal stage. The fact that a decision was made against officer recommendations will not on its own be regarded as an exceptional reason.

1 Can the Inspector see the relevant parts of the appeal site from public land? ☑ YES ☐ NO

2 Will the reasons for refusal/grounds of appeal require the Inspector to enter:

a. the appeal site or property to judge the appeal proposal? ☑ YES ☐ NO

b. a neighbour's land or property to judge the appeal proposal? ☐ YES ☑ NO

If Yes, who?

3 Are you aware of any specific health and safety issues, from you Officer's visits to the site or otherwise, which would need to be taken into account when the inspector visits the site? ☐ YES ☑ NO

Please describe:

4 Is the site within a Conservation area? ☐ YES ☑ NO

If Yes, please ensure a plan of the Conservation Area is sent with your case file.

5 Would the proposed development affect the setting of a listed building? ☐ YES ☑ NO

If Yes, please ensure a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest is sent with your case file.

6 Did you give publicity, as required, for the site being within a conservation area or affecting a listed building? ☐ YES ☑ NO

7 Is any part of the site subject to a Tree Preservation Order? ☐ YES ☑ NO

If Yes, please ensure a plan showing the extent of the Order and any relevant details is sent with your case file.

8 a. Are there any appeals or matters relating to the same site still being considered by us or the Secretary of State? ☐ YES ☑ NO

If Yes, please give our Reference numbers and if necessary send details with your case file

b. Are there any appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? ☐ YES ☑ NO

If Yes, please give our Reference numbers and if necessary send details with your case file

Environmental Impact Assessment
Schedule 2

9 a. (i) Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999? ☐ YES ☑ NO

(ii) Under which description of development in Column 1? (ie Nos 1-13)

(iii) Is the applicable threshold/criteria in column 2 exceeded/met? ☐ YES ☑ NO

9 b. Is the development within or partly within a 'sensitive area' as defined by regulation 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999? ☐ YES ☑ NO

If Yes, please provide details with your case file.

Screening

c. (i) Have you issued a screening opinion (SO)? ☐ YES ☑ NO

If Yes, please send a copy of the SO that was placed on the planning register, and any other related correspondence with your case file.

(ii) Did the SO state that the proposed development is EIA development as defined by the EIA Regulations? ☐ YES ☐ NO

If you decided that the proposed development is not EIA development as defined by the EIA Regulations, please send brief reasons for your opinion with your case file.

9 **Environmental Statement (ES)**

d. Has the appellant supplied an environmental statement? ☐ YES ☑ NO

If Yes, please supply any related correspondence from statutory consultees and others that you may have had about the adequacy of the environmental information contained in the ES, having regard to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and Circular 2/99.

Publicity

e. If applicable, please send a copy of the site notice and local advertisement published under Article 8 of the GDPO 1995, as required for EIA development with your case file. ☐ Applies ☑ N/A

10 **Copies of the following documents must, if appropriate, be sent with your case file;**

a. a copy of the letter with which you notified people about the appeal; ☑ Applies ☐ N/A

No of Docs 1

b. a list of the people you notified. ☑ Applies ☐ N/A

No of Docs 1

11 Please review conditions a) and b) below and advise whether they are necessary and provide a list of any other conditions you regard as necessary and which meet the requirements of circular 11/95. You must also give reasons justifying them. ☐ YES ☑ NO

a. the development hereby permitted shall be begun before the expiration of three years from the date of this permission. ☐ YES ☑ NO

If Yes, please send reasons why you regard the condition necessary with your case file.

b. the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building. ☐ YES ☑ NO

If Yes, please send reasons why you regard the condition necessary with your case file.

c. Any other conditions you regard as necessary. ☐ YES ☑ NO

If Yes, please send reasons why you regard the condition necessary with your case file.

12 **LPA Complete Case File**

Please note the complete case file you send should include everything you considered when making the decision at application stage. As a minimum, the following documents must be included in the case file you send alongside the completed questionnaire;

- All representations received from interested parties about the original application including copies of notification letter and addresses notified.
- Planning Officer's report to committee or delegated report on the application and any other relevant documents/minutes. Please note - if officer recommendation is overturned by committee, minutes need to reflect the fact that members put a different slant/weight to the specific policy against which they judged the proposal.
- Relevant planning history, including the plans submitted with the application.
- Extracts from any statutory development plan policy (inc front page, title and date of approval/adoption - and status).
- Extracts from relevant policies which have been saved by way of a direction (attach a copy of the direction and the accompanying letter from the GO).
- Extracts from any supplementary planning guidance that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when. In the case of emerging documents, please state what stage they have reached.
- A copy of any publicity given in relation to the site being within a conservation area or affecting a listed building.
- Any other documents you wish to include with the case file.

How do you wish to submit the documents associated with this case file?

Give the website address of your case file and / or Upload individual documents ☐ *Document provided*

Website address: http://62.189.207.183/PublicAccess/tdc/tdc_home.aspx

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. ☑

Completed by:

Name: Peter Barnett Phone: 01273 263233

Email: peter.barnett@adur.gov.uk

On behalf of: Adur District Council

Appeal Ref:	APP/Y3805/D/09/2116552
Appeal by:	Mr Walter Bush
Site Address:	114 Old Fort Road SHOREHAM-BY-SEA West Sussex BN43 5HB

The following documents should be sent to us within 5 working days of the 'starting date'

Description	No. Sent

Completed By	Peter Barnett	**Date**	16 November 2009
LPA	Adur District Council		

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US.