

Planning Statement

Flexible Use

**Ground Floor Northeast & Northwest
Suites, 3 Liverpool Gardens,
Worthing**

Portfield Estate Company Ltd



Property Reference:

WOLG3

Location:

NE and NW Suites, Ground Floor, 3
Liverpool Gardens, Worthing, BN11 1TF

Date:

4th June 2026

Author:

Sarah Hufford

Contents

1. Introduction	1
2. The Site and Surroundings.....	2
3. Planning and Occupation History	4
3.1.Planning History	4
3.2.Occupation History	4
4. The Proposal	5
5. Planning Policy Context	6
5.1.Introduction	6
5.2.National Planning Policy.....	6
5.3.The Development Plan.....	7
The Worthing Local Plan (2023)	7
6. Planning Appraisal.....	8
6.1.Introduction	8
6.2.Principle of Development	8
6.3.Residential Amenity.....	11
6.4.Transport, Parking and Servicing.....	11
6.5.Sustainable Development and Re-use of Brownfield Land.....	12
6.6.Heritage	12
6.7.Flood Risk and Drainage	12
6.8.Other Issues	13
7. Conclusions and Planning Balance.....	14

Appendices

Appendix 1: Original Planning Consent (WB/555/75)

1. Introduction

- 1.1. This application is submitted by Hargreaves Management Ltd who are the managing agent for Portfield Estate Company Ltd, the owners of 3 Liverpool Gardens, Worthing. It seeks a flexible use for Use Classes E and/or F1(a) for two of the ground floor units, which remain vacant despite far reaching marketing efforts.
- 1.2. The units were last occupied as offices. Offices and other commercial and business uses now sit within a single Use Class E of the Town and Country (Use Classes) Order 1987 ("the UCO"), further to amendments to the UCO in September 2020.
- 1.3. In light of recent interest from training providers, a flexible use is now sought to additionally seek Use Class F1(a) for these two suites, whilst also retaining the option for class E use. A training use would complement the existing office use, which remains in the other suites within the building. The application is for change of use only.
- 1.4. As such consent is sought for:

"Change of use of 2 ground floor suites (Northeast and Northwest) at 3 Liverpool Gardens from office use (Use Class E) to a flexible commercial, business and office use (Use Class E) and/or for the purposes of education and training (Use Class F1(a))."
- 1.5. The submission is supported by:
 - The relevant application form, CIL form and fee;
 - Location plan;
 - Ground floor plans (existing and proposed);
 - Marketing letter and particulars; and
 - This statement.

2. The Site and Surroundings

- 2.1. 3 Liverpool Gardens is located within the designated town centre of Worthing, within easy walking distance of all town centre amenities, the seafront and the mainline train station:



Figure 1: 3 Liverpool Gardens (in red)

- 2.2. The building was constructed in the 1970s, alongside 1 Liverpool Gardens, and is split into 6 office suites over ground, first and second floors, and with pedestrian access from Liverpool Gardens. The lettable floorspace of the building extends to circa 747sqm.



Figure 2: 3 Liverpool Gardens (viewed from Liverpool Gardens)

- 2.3. Parking is provided under-croft and in garages to the rear and is shared with 1 Liverpool Gardens (also known as Arundel Lodge and Arundel House). Parking is primarily accessed from Shelley Rd, with a secondary access on Liverpool Gardens. There is lift access to the offices from the car park.
- 2.4. The application covers 2 of the 3 ground floor suites. The northeast suite extends to 74 sqm and the northwest suite to 107 sqm. Both have lift and stair access from a central core, together with access to toilet facilities. Typically, each unit has access to 1 or 2 car parking spaces within the under-croft area.



Figure 3: Ground Floor NW & NE Suites



Figure 4: NW & NE suites

- 2.5. Although within the town centre the building is not within the designated retail, instead being surrounded by offices and residential dwellings. It is within a Key Office Location and the Chapel Road Conservation Area.
- 2.6. The site is north of, and adjacent to, 1 Liverpool Gardens, a part 2 and 8 storey building containing offices and flats. The Montague Centre car park is opposite and across Liverpool Gardens. 2 storey cottages in Portland Road adjoin the site to the west, separated by a Grade II listed wall and footpath (Field Row). Ridgeworth House, a 4-storey office block, is immediately north of the site, with a range of commercial occupiers.

3. Planning and Occupation History

3.1. Planning History

- 3.1.1. 3 Liverpool Gardens was built pursuant to planning permission WB/555/75, which was granted consent on 15/07/1975. The development approved the following:

'Revised Proposals for the erection of a 4-storey building comprising 3 floors of offices above pavement level, (9595 sqft gross floor space) with garages and car parking spaces at basement level.'

- 3.1.2. Of relevance to this application, is that there are no conditions controlling use. There are also no conditions controlling hours of operation. See **Appendix 1**.
- 3.1.3. Other applications listed on the planning register deal with air conditioning and plant and other changes to the roof which are not relevant to this application.
- 3.1.4. The building adjoins 1 Liverpool Gardens, which was built around the same time, and shares an under-croft parking area (Planning refs: WB/326/73 and WB/647/74).

3.2. Occupation History

- 3.2.1. The office suites in 3 Liverpool Gardens have been occupied by a number of tenants over the years. With respect to the 2 vacant suites subject to this application, they were last occupied by Parent Pay from October 2021 to the end of September 2025, when their lease expired. Despite marketing efforts by Stiles Harold Williams since June 2025, the office suites remain vacant.
- 3.2.2. Of note to this application is that the 2nd Floor of 3 Liverpool Gardens was leased to Western Sussex Hospitals NHS Trust from March 2012 to March 2017. During this time, it was used solely as a training and education centre. Whilst noting this was without consent, it is none-the-less relevant that this use did not attract any complaints and that the second floor has subsequently returned to office use (now occupied by an accountancy firm and letting partnership).

4. The Proposal

- 4.1. The proposal seeks the following:

“Change of use of 2 ground floor suites (Northeast and Northwest) at 3 Liverpool Gardens from office use (Use Class E) to a flexible commercial, business and office use (Use Class E) and/or for the purposes of education and training (Use Class F1(a)).”

- 4.2. There are no proposed internal alterations to the suites, and the floor plans therefore remain as existing. For the avoidance of doubt, there are also no external alterations proposed.
- 4.3. In the absence of identified end-users, it is proposed to secure any detailed matters by condition, although it is unlikely much in way of detailed matters would arise. As noted above, the current office use operates lawfully without limitations in terms of hours of operation.
- 4.4. Also of note, parking and refuse facilities, are already provided in the basement and remain unchanged and cycle provision could be made available in the under-croft area should a change of use to an education or training use occur.

5. Planning Policy Context

5.1. Introduction

- 5.1.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.1.2. The relevant Development Plan comprises the Worthing Local Plan 2020-2036 (March 2023).
- 5.1.3. Other material considerations include the National Planning Policy Framework (The Framework), Planning Practice Guidance (PPG) and other Supplementary Planning Documents (SPD) and guidance such as the Worthing Sustainable Economy SPD.

5.2. National Planning Policy

National Planning Policy Framework (The Framework)

- 5.2.1. The Framework sets out the government's objectives for the planning system. It also details strategic planning policies, which seek to provide sufficient housing and other development in a sustainable manner. **Paragraph 10** states that a presumption in favour of sustainable development is at the heart of the Framework, with **paragraph 8** outlining economic, social and environmental objectives.
- 5.2.2. **Paragraph 11** sets out how the presumption in favour of sustainable development operates, with **paragraph 11(c)** explaining that for decision taking, development should be approved without delay where it accords with an up-to-date development plan. **Paragraph 11(d)** explains that where there are no relevant plan policies, or those most important for determining the application are out of date, then permission should be granted unless there are policies in the Framework that protect areas or assets of particular importance and provide a clear reason for refusing development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies within the Framework taken as a whole.
- 5.2.3. Of relevance to this application is **Chapter 6** (Building a strong, competitive economy). **Paragraph 85** explains that significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development.
- 5.2.4. **Chapter 7 deals** with town centre policies, with a sequential test for town centre uses and requiring edge or out of centre development locations and an impact assessment for proposals over 2,500sqm.
- 5.2.5. **Chapter 11** (making effective use of land) sets out at **paragraph 124(c)** that planning policies should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

- 5.2.6. Significant draft changes to the structure and content of the Framework were published in December 2025. However, this is given limited weight until adoption and focus remains on the Adopted Framework.

Planning Practice Guidance (PPG)

- 5.2.7. The PPG provides detailed guidance and expands upon policies within the NPPF, is attributed equal weight to it and is referenced as necessary in the planning appraisal section.

5.3. The Development Plan

- 5.3.1. The policies most relevant to this proposal are set out below and dealt with within the planning appraisal section:

The Worthing Local Plan (2023)

- SP1 (Presumption in favour of sustainable development)
- SP3 (Healthy communities)
- SS3 (Town centre)
- DM5 (Quality of the built environment)
- DM8 (Planning for sustainable communities/community facilities)
- DM10 (Economic growth and skills)
- DM11 (Protecting and enhancing employment sites)
- DM13 (Retail and town centre uses)
- DM14 (Sustainable transport & active travel)
- DM20 (Flood risk and sustainable drainage)
- DM24 (The historic environment)

- 5.3.2. SPDs and other guidance documents which are relevant to this proposal include:

- SPD14 – Worthing Sustainable Economy SPD (2012)

6. Planning Appraisal

6.1. Introduction

- 6.1.1. Planning legislation states that planning applications must be determined in accordance with the Development Plan unless the policies are out of date or material considerations indicate otherwise.
- 6.1.2. Case Law has also confirmed that to be found in accordance with the development plan, proposals need to be assessed against the Plan *as a whole*, as it is commonplace for policies to pull in different directions. Whether a proposal is in accordance with the Plan is therefore a question of judgement, having regard to the importance of relevant policies and extent of compliance or breach with them.

6.2. Principle of Development

Use Class E

- 6.2.1. The lawful use of the application site is an office, within Use Class E. The continued use of the site as an office, or any other Class E use does not require consent. It is acceptable by default and is included in the description of development for flexibility purposes.
- 6.2.2. The relaxation of the UCO with the introduction of Class E in 2020 was to assist in repurposing town centres and to provide greater flexibility for businesses to adapt to changing commercial conditions.
- 6.2.3. Class E is also appropriate given the town centre location, further to policies SS1 and DM13, and national policies which aim to boost town centres and aid their adaptability and flexibility to support local communities.

Use Class F1(a)

- 6.2.4. As noted within the marketing report, the main recent interest in the vacant units has been from training providers. The location of education and training uses within the town centre is supported by Policy DM8, which supports improvements to education facilities where there is no unacceptable impact on occupiers of adjacent properties.
- 6.2.5. Policy SS3 also supports community facilities within the town centre. Community facilities are defined within Local Plan as *“community venues, cultural buildings, places of worship, education and health facilities, and pubs where evidence demonstrates they have a community value.”*
- 6.2.6. Education and training uses can contribute to the vitality and viability of the town centre by increasing activity and attracting students into the centre to make use of other town centre facilities, whilst also supporting opportunities for local communities to learn.
- 6.2.7. Education use also accords with Chapter 7 of the NPPF, which at paragraph 90 requires policies to take a positive approach to the growth, management and adaptation of town centres and the role these play at the heart of local communities.

Office Protection

- 6.2.8. Policy DM11 protects Liverpool Gardens as a key office location, noting that it is essential to maintaining a supply of employment sites and to meeting the needs of the local economy. It states that only in exceptional circumstances, where there is clear and robust evidence this would retain a diverse and resilient local economy, will an alternative use be considered.
- 6.2.9. The policy requires demonstration of the importance of the proposed use to the local economy, that the use would not negatively impact the functioning of the key employment area or local economy more generally and that alternative sites outside the area are available. For small sites such as this, the Sustainable Economy DPD sets out a requirement for 12 months marketing and lack of market interest.
- 6.2.10. Of note, the application is for a flexible use, meaning that it is not proposed to move away from offices, but simply to introduce flexibility for additional training & education use. The previous use of the 2nd floor for training purposes, and its return to office use, further demonstrates this. This flexibility is delivered by Class V of Part 3 of the General Permitted Development Order (2015).
- 6.2.11. Office occupation remains fully aligned with the landowner's objectives and marketing will continue on this basis. However, it is in no one's interest for these suites to remain vacant, with demand for training uses clearly evident, and given the ease in which use can switch between these uses.
- 6.2.12. Of importance, and given the objective of Policy DM11, education and training uses are a positive contributor to Worthing's economy and would not undermine it. These uses also provide a crucial enabling role and support local strategies which emphasise the importance of skills, qualifications and workforce development in underpinning economic growth and raising productivity. They also support jobs in their own right.
- 6.2.13. The latest available evidence on office needs and supply is within the *Worthing Employment Land Review Focused Update (2020)* which also addresses the key office areas. It is noted that at paragraph 5.23 that the majority of office use should be retained at Liverpool Terrace/Gardens and Chatsworth Road. However, Paragraph 5.24 goes on to state that proposals that support new economic uses on these sites that would not undermine their existing activity should also be encouraged. Training and education uses are considered to be within this category.
- 6.2.14. Given that the Focused Update also notes that Worthing is not a particularly strong office location and that a sufficient supply of sites has been identified in all tested scenarios, this flexibility is entirely justifiable.
- 6.2.15. Of further note, the proposal is for flexible use of just 181sqm of floor space. The floorspace in 3 Liverpool Gardens totals 747sqm, with only 24% proposed for flexible use. There is also an additional 1,114sqm office floorspace within the adjacent 1 Liverpool Gardens, also within the applicant's ownership (less than 10%).

6.2.16. Although dated, the last published figure for the Liverpool Gardens/Terrace Office Area notes an overall floorspace of 13,130sqm. The two suites represent just 1.3% of this area. The flexible use would not therefore materially impact the supply of offices in this area.

6.2.17. Notwithstanding this, the change of use is in any event in accordance with Policy DM11 for the following reasons, and as demonstrated in the SHW Marketing Letter.

- The property has been extensively and appropriately marketed for office use since June 2026, a period of 12 months, with only one offer received during this time. This demonstrates a persistent void and a more than reasonable period of marketing in line with Policy. Of note, an office user remains compatible with the landlords' objectives, but none have been forthcoming.
- Of note, despite marketing for offices, the most recent interest is for uses which do not conform with use class E, being education providers. This further supports widening of the use as applied for.
- The proposed use is entirely appropriate to its city centre location and will, add to the vitality and vibrancy of the location, and sits comfortably alongside office use.

6.2.18. Also of note, a change of use from an office to an education use was approved on 25/02/2026 by the Council at 17 Liverpool Gardens (AWDM/1533/25), which is also located within the key office area, further demonstrating the appropriateness of the use within this area.

Summary

6.2.19. The flexible use sought, for a range of commercial, business, service and education uses, is wholly appropriate given the location of the suites within a busy city centre location. It fully chimes with national policy to repurpose town centres and provide flexibility for businesses to adapt to changing circumstances. It will have a positive impact on the vibrancy and vitality of the town centre as a whole. The site is also extremely sustainably located.

6.2.20. The proposal is in accordance with Policy DM11 as it has been demonstrated that it does not negatively impact the functioning of the key employment area and would retain a diverse and resilient local economy. In particular, and addressing the requirements of the policy:

- The proposed flexible use, including training and education use, is **important to the future of the local economy**, providing jobs in its own right, but also facilitating improved skills, underpinning economic growth and improving productivity.
- The proposed flexible use **would not underpin the wider function of the local employment area** by retaining office use, but also because it is an economic use which supports the wider designation. It also comprises just 181sqm of floor space in an area of significantly greater supply.
- The provision of training jobs, and a use which also provides training opportunities would not support, and **would not negatively impact the local economy** and would also positively contribute to the vitality and viability of the town centre; and

- We are advised of demand for training uses. **We are not aware of other available comparable sites** nor are we in a position to be able to assess whether particular premises outside of our control meet individual occupier needs. Notwithstanding, and as demonstrated above, there is no harm arising from the proposed expansion of use.

6.2.21. Compliance has therefore been demonstrated Policy DM11 of the Development Plan.

6.3. Residential Amenity

- 6.3.1. Policy DM5 seeks to protect residential amenity. The nearest residential properties are at 1 Liverpool Gardens and to the rear, on Portland Road. The properties have a well-established relationship with 3 Liverpool Gardens and operate without complaints.
- 6.3.2. The application is for a change of use only, meaning there is no change to privacy, overlooking, outlook, sunlight or daylight as a result of the proposal. The building currently has a Class E consent. Incorporation of potential training or education facilities for 2 suites would not be materially different in terms of impacts than the existing office use.
- 6.3.3. As noted at Section 3.2 above, the 2nd floor of the building, which extends to 257sqm of lettable space, was previously used for training and education use, and without receipt of complaints, further demonstrating the compatibility of this use with adjoining residences.
- 6.3.4. The Policy therefore accords with Policy DM5 (Quality of the built environment) of the Worthing Local Plan in this regard.

6.4. Transport, Parking and Servicing

- 6.4.1. The site is highly sustainably located, within the town centre, and circa 200m from Chapel Street/South Street with its multiple bus services. It is also within easy walking distance of the main train station.
- 6.4.2. Whilst there are car parking spaces available within the under-croft area, it is anticipated that staff and customers would use public transport. Typically, one or two spaces has historically been leased with each of the units if required. Whilst this is in line with policy to encourage journeys other than by private car, a public car park is located across the street for those who do wish to drive.
- 6.4.3. Bin storage is also already provided within the under-croft area, with refuse collected by a private contractor. Servicing would also continue to take place as currently provisioned:
- 6.4.4. Whilst the building does not currently provision for cycle space, details could be conditioned if required for a change of use to F1(a) training and education user occupies either of the units.
- 6.4.5. The policy is in accordance with Policy DM14 (Sustainable Transport & Active Travel) of the Worthing Local Plan.



Figure 5: Existing Bin Storage Area

6.5. Sustainable Development and Re-use of Brownfield Land

- 6.5.1. Securing a wider range of potential uses on the site would assist with reletting the unit, enabling a more productive use of brownfield land. Paragraph 125(c) of the Framework also states that substantial weight should be afforded to the development of under-utilised land and buildings unless substantial harm would be caused. It has been demonstrated that material harm would not be caused, and substantial weight should therefore be applied to re-using this building for the range of uses applied for.
- 6.5.2. The proposal is also for a sustainable form of development. It secures economic benefits through generating income and jobs for the local economy, social benefits by providing a range of services, and environmental benefits by making a better use of a brownfield site.

6.6. Heritage

- 6.6.1. The Site is within the Chapel Road Conservation Area and is bounded by a Grade II listed flint wall. By virtue of the fact that the proposal is for a change of use only, the proposal is considered to have a neutral effect on these heritage assets. The character of the education and training use is also unlikely to be materially different to the existing use.
- 6.6.2. The Policy therefore accords with Policy 24 (Historic Environment) of the Worthing Local Plan.

6.7. Flood Risk and Drainage

- 6.7.1. The site is located within flood zone 1 and within a town centre location. The proposal is for a proposed internal change of use with no changes to the external envelope nor any increase in the impermeable area surrounding the building. The first floor is also raised above an under-croft area.

6.7.2. The building is served by existing surface water and foul sewers and a potential change of use from an office to education facility for 2 small units would have no discernible impact on the capacity of these sewers.

6.7.3. There is therefore no material impact on flood risk or drainage from the proposed change of use, in accordance with Policy DM20 of the Worthing Local Plan.

6.8. Other Issues

6.8.1. The application is for change of use only and exempt from Biodiversity Net Gain by virtue of the *de minimis* criteria.

7. Conclusions and Planning Balance

- 7.1.1. Flexible use is sought for two, vacant, ground floor office suites at 3 Liverpool Gardens in Worthing. This is for a range of commercial, business, service and education and training use. This is wholly appropriate given the location of the suites within the town centre, noting that the suites benefit from Use Class E without restriction and a full range of community facilities is supported by Policy SS3. It would also have a positive impact on the vibrancy and vitality of the town centre.
- 7.1.2. Importantly, the proposed education and training use would not negatively impact the function of the office area, as required by Policy DM11 of the Worthing Local Plan, and also assists in underpinning economic growth and raising productivity, being complementary to office use within the building and the wider office area.
- 7.1.3. The proposal also fully chimes with national policy to repurpose town centres and provide flexibility for businesses to adapt to changing circumstances. The site is also extremely sustainably located, and the change of use application would not adversely impact residential amenity, nor present adverse impacts with respect to heritage assets or flood risk.
- 7.1.4. Full compliance has been demonstrated with policies SP3, SS3, DM5, DM8, DM10, DM11, DM14, DM20 and DM24 of the Worthing Local Plan. Notably, marketing for office use has been undertaken for 12 months without success. Widening the permitted Class E use to include education and training uses is wholly appropriate in these circumstances and policy compliant. It is requested that a flexible change of use be granted accordingly.

APPENDIX 1: Original Planning Consent (WB/557/75)

TOWN OF WORTHING	RECEIVED		WB/557/75
	15 AUG 1975		
	Application No.		
	Please quote in all future correspondence.		
Town and Country Planning Act, 1971	KAM		
Town and Country Planning General	REC		
	RHC		
	Development Order 1973		
	7375		

To: Brockenhampton Land Company, 55 West Street, Chichester, Sussex.

C/o. Messrs. Morgan Carn and Partners, 12 Grand Avenue, Hove, Sussex. BN3 2FW

In pursuance of its powers under the above mentioned Acts and Order, the WORTHING BOROUGH COUNCIL, the Local Planning Authority, hereby notify you that they PERMIT the following development, that is to say:-

Revised proposals for the erection of a 4-storey building comprising 3 floors of offices above pavement level, (9595 sq.ft. gross floor space), with garages and car parking spaces at basement level: 3 Liverpool Gardens.

to be carried out in accordance with your application and plan submitted to the Council on 17th June, 1975

and subject to compliance with the conditions specified hereunder:-

1. The development, if commenced, shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority, and in compliance with any conditions imposed by the Local Planning Authority on any approval with respect to the matters reserved in this permission.
2. The development to which this permission relates must be begun not later than the expiration of FIVE years from the date hereof.
3. The works hereby approved shall not be commenced until the type and colour of the external materials have been approved by the Local Planning Authority.
4. The building shall not be occupied until:-
 - (a) An overall tree planting and landscaping scheme for the site has been agreed by the Local Planning Authority and such scheme shall be carried out and thereafter maintained to the satisfaction of the Local Planning Authority.

(Continued overleaf).

The reasons for imposing the above conditions are:-

1. To enable the Local Planning Authority to control the development in detail.
2. To comply with the requirements of section 41 of the Town and Country Planning Act 1971.
3. To safeguard the visual amenities of the locality.
4. (a) To safeguard the visual amenities of the locality.

DATED Fifteenth day of July
Signed

Town Hall,
Worthing, Sussex.

Note:- Your attention is drawn to the notes and information overleaf.

Form: WB/T.P.1

P1354

- 4(b) The existing flint wall has been made good, where necessary, in accordance with details to be agreed with the Local Planning Authority and, thereafter such flint wall on the boundary of the site shall be retained.
- (c) Details of the remaining boundary works have been agreed with the Local Planning Authority and such works shall be carried out to the satisfaction of the Local Planning Authority prior to the occupation of the premises.
- (d) The car parking and manoeuvring facilities for vehicles as indicated on the deposited plan have been provided to the satisfaction of the Local Planning Authority.
- (e) The hardstanding and drive area indicated on the deposited plan has been laid out, constructed and drained to the satisfaction of and to a specification to be agreed with the Local Planning Authority.
- (f) A visibility sight line has been provided as shown in red on the deposited plan and any existing feature situated within the area between this line and the site boundary shall be reduced to 3 ft. in height, and no new wall, gate, fence, hedge, or any other means of enclosure, or structure, shall be erected or permitted at any time above this height within such area.

Reasons (Continued).

- 4(b) To safeguard the visual amenities of the locality. (a) To enable the Local Planning Authority to reserve control over the matters specified and to safeguard the visual amenities of the locality. (d) To provide for the parking of vehicles off the public highway in the interests of highway safety, convenience and amenity. (e) In the interests of highway safety, convenience and amenity. (f) To ensure the provision of adequate visibility in the interests of safety to vehicular and pedestrian traffic.

NOTES

TOWN AND COUNTRY PLANNING ACT, 1971.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with Section 36 of the Town and Country Planning Act 1971 within 6 months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary, Department of the Environment, Caxton House, Tothill Street, London SW1H, 9LZ). 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. The Secretary of State for the Environment is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order (The statutory requirements include Section 23 of the Industrial Development Act 1966).

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment 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 development which has been or would be permitted, he may serve on the Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provision of Part IX 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 169 of the Town and Country Planning Act 1971.

4. This decision does not purport to convey any consent or approval which may be required under the Public Health Acts, Building Regulations and New Streets Byelaws.

5. In the case of permission being granted for a limited period only, if at a later date an extension of the period of this permission is desired, an application for the purpose should be made to the Council before the expiration of the period.