

Hearing Statement for LaSalle Investment Management

THE LEGACY CORPORATION LOCAL PLAN REVIEW EXAMINATION - MATTER 4

8 August 2019

Our Ref: MJB/17-00954

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1 INTRODUCTION

- 1.1 This Hearing Statement has been prepared by Rapleys LLP on behalf of LaSalle Investment Management ('LaSalle') to address Matter 4 on Developing Business Growth.
- 1.2 This Statement follows on from LaSalle's previous representations submitted to the scoping consultations in January 2018 and also Regulation 19 consultation in December 2018.
- 1.3 We consider that the Local Plan as submitted is unsound as it is not positively prepared, justified or consistent with the National Planning Policy Framework ('Framework').
- 1.4 LaSalle manages Old Ford Trading Estate and Maverton Road Trading Estate ('the Trading Estates'), Fish Island in Bow, on behalf of their landowners (see Site Location Plan at **Appendix 1**). The Trading Estates are currently occupied mainly by trade and self storage operators and located in a longstanding established industrial area which is a designated Strategic Industrial Location ('SIL'). In the submitted Local Plan, the Trading Estates are identified within Fish Island South Cluster SIL. However, residential developments and conversions have been delivered in the area, including sites in close proximity to the Trading Estates in recent years. This has placed potential constraints on future growth and function of the area as a SIL. Our client therefore wishes to ensure that the Local Plan Review does all it can and should to ensure sustainable economic growth and commercial viability of the Trading Estates and that it can respond to changing circumstances in future. Our Statement responds to Matter 4 in the context of this background.

2 RESPONSE TO MATTER 4

4.2 i) Is the economic strategy set out in Objective 1 (increase prosperity in East London) strategic policy SP1 (Building a strong and diverse economy) and the supporting policies B1-B6 sufficient to meet the LLDC area's employment and skills needs over the plan period? Does it accord with the requirements in section 6 of the Framework for clarity in economic vision, site identification, addressing potential barriers to investment, the locational requirements of different sectors and the need for flexibility?

4.4 i) Is Policy B1 justified in its protection of employment land, including Strategic Industrial Locations (SIL)? Does it accord with section 6 of the Framework and paragraphs 120 and 121 in Section 11 of the Framework and the relevant policies in the London Plan?

Economic Strategy

- 2.1 Objective 1 and Strategic Policy SP1 are aimed towards growth within cultural and creative sectors and higher education training opportunities with no reference to supporting the existing industrial and warehousing sectors. It merely seeks that there will be no overall net loss of industrial floorspace capacity across London in SILs as the emerging London Plan requires, but it lacks a clear planning strategy to achieve this objective.
- 2.2 SIL is a London-wide strategic designation, safeguarded for industrial, logistics and related uses and plays a critical role in London's economy. As LLDC's evidence document Combined Economic Study: Part A Economy Study March 2018 ('Study') (Ref: LEB3) acknowledges, the emerging London Plan points to the importance of securing and enhancing strategic provision in SILs, including Fish Island. The Study also recognises that there is pressure on industrial land across all Boroughs and that industrial land is becoming increasing constrained. The LLDC area remains a good location for industrial sectors, and rental levels is rising high, as a result of high demand and very low supply. Local agents' views expressed in the Study is that there is a lack of modern industrial stock within the area, despite extremely high demand, and that new industrial types of stock are needed to help serve e-

commerce and las mile logistics which require larger yards. The Study outlines that the majority of the floorspace leased within the LLDC's area is within and around Hackney Wick and Fish Island, which further illustrates the demand in this location. The current vacancy rates with LLDC's area are less than 1% which further demonstrates the current levels of demand for industrial land and emphasises the need for a clear and robust strategy for SIL sites (particularly for Classes B2 and B8 operations). In this context, it is concerning that there has been very little B2 or B8 use in the development pipeline.

- 2.3 The Study identifies that the annual employment land requirement for industrial uses ranges from -0.3ha to 0.8ha, equating to -4.5ha to 12ha over the plan period, depending on growth scenario forecasts. The Study makes it clear that the negative growth is very much contrary to the views expressed by local authorities, the GLA and agents. While the Local Plan Review should plan for meeting the needs of the growing office sector (including cultural and creative sectors), as identified in the Study, there needs to be a clear and robust strategy to ensure that the LLDC takes account of the GLA's position on retaining industrial land and anecdotal evidence on the growing demand and the low stock of industrial land.
- 2.4 In this context, we consider that the strategy to focus on office, cultural and creative sectors alone is unsound, and Policy B1 and new allocation must ensure that strategically important industrial sectors are protected and future B2/B8 redevelopment remains viable and deliverable.

The Need for Flexibility and Review Mechanism

- 2.5 LaSalle recognises the need for robust strategy for Classes B2 and B8 type industrial, warehousing and distribution uses and the function of SILs, as stated above. However, we object to the current approach to safeguarding and transforming the Fish Island South SIL Cluster. This is because limited consideration appears to have been given to the function of the SIL in this area (i.e. to safeguard and intensify B1c, B2 and B8 uses) and how the changes and the proposed new allocation will impact on the remaining SIL sites and their future redevelopment (or modernisation/redevelopment of existing premises). The fundamental principle of plan-making in the Framework is to ensure that plans are positively seeking opportunities to meet the development needs of the area and be sufficiently flexible to adapt to rapid change. As it stands, the policy framework for the future of the Trading Estates does not take account of the changes which have already taken place and those proposed in the Plan, which could potentially make the future development/intensification of B1c/B2/B8 uses unviable or practically undeliverable.
- 2.6 As such, the draft Local Plan's blanket approach to safeguarding and intensifying B2/B8 uses of Fish Island South Cluster SIL is not justified and does not accord with paragraphs 120 and 121 of the Framework. It should introduce a mechanism in Policy B.1, specifically in relation to B.1a2, to review the function of the SIL Cluster and deliverability of B1c/B2/B8 uses in the future, taking into account the demand and operational requirements of the industry, to ensure that deliverable schemes can come forward in future.

4.2 ii) Is the focus in Policy B1 (location and maintenance of employment uses) on protecting and developing the existing business clusters justified and effective?

2.7 As stated in our previous representations to the Regulation 19 consultation, in principle, LaSalle recognises and supports the strategic objective in Policy B.1 to safeguard and intensify SIL for industrial uses. The Trading Estates are identified within Fish Island South Cluster SIL (B.1a2) and restricted to B2 and B8 (industrial, warehousing, transport and waste management and distribution). The focusing only on the protection and developing the existing business clusters by simply safeguarding SIL land for B2/B8 classes is not justified with regard to Fish Island South Cluster, for the following reasons:

- 1.It excludes Classes B1c or car hire/tool hire uses which typically seek industrial locations and are appropriate in SILs.
- 2. It should proactively seek to meet the needs of industrial/warehousing and distribution operations which require yards and ability to operate/deliver 24 hours and 7 days basis.

2.8 Without these aspects reflected in Table 3 B.1a2, Policy B.1 fails to meet the Framework paragraphs 16, 22 and 81.

> 4.2 v) Does the Plan address the issue of effectively integrating new development with existing businesses and community facilities, as required to do so in paragraph 182 of the Framework, including the requirement for the applicant (or agent of change) to provide suitable mitigation before the development has been completed?

> 4.4 ii) The policy covers the managed release of land to other employment uses and the importance of mitigating impacts of noise, nuisance and air quality and considering the proximity of incompatible uses (i.e. between existing and proposed uses). It the Policy robust enough to adequately safeguard existing living conditions (especially but not exclusively in relation to residential development)? Does the policy deliver good neighbourliness?

- 2.9 As stated in our previous representations to the Regulation 19 Consultation, we do not consider that the Plan provides adequate and robust safeguarding of Fish Island South Cluster SIL. There has been an incremental conversion of an industrial building at 419 Wick Lane which is situated directly across Old Ford Trading Estate, from industrial to live/work units, and then to permanent residential accommodation (application ref: 1200165/FUM). The mitigation measures approved for the residential use included a specific type of glazing as sound proof, albeit there was no condition requiring the windows to remain shut (which would require mechanical ventilation). This introduced an inappropriate/incompatible noise sensitive use adjacent to the protected SIL area, and resulted in imposing restrictions on future Class B2 operation for the Trading Estates with regard to noise and delivery hours (application ref: 17/00291/FUL and 18/00083/FUL - Appendix 2). This is wholly unreasonable for sites designated and safeguarded as a SIL, having strategic importance to London's industrial capacity.
- 2.10 The current policy objective to facilitate intensification of industrial locations to allow for non-SIL use needs to be managed appropriately and effectively by planning policy. The concern is that the co-location and mix of uses may lead to units becoming commercially and operationally unviable for Classes B2 and B8 uses.
- 2.11 The NPPF at paragraph 80 outlines, the approach taken, through planning policy, should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. LLDC's Local Plan needs to recognise where it has failed previously (counter weaknesses) and promote a policy which gives appropriate protection that is effective and justified, even with increasing pressure for residential development.
- 2.12 It is fundamental for SIL sites to perform its intended strategic function that industrial activities on site and the surrounding parts of the SIL are not compromised in terms of their continued efficient function, access, service arrangements and days/ hours of operation noting that B2/B8 operators typically requiring 24 hour/7day a week operational/delivery requirements. Class B2 industrial use is distinguished from Class B1c industrial use appropriate in residential area, due to the nature of noise generating heavy industrial operation. Class B8 distribution/trade operators typically have 24 hour/7day a week delivery requirements, which generate road traffic noise as well as noise from the service vard.

2.13 As such, while we welcome the proposed Main Modification 13 (MM13) to supporting paragraph, we do not consider that it is far enough to safeguard the SIL for industrial and warehousing operations/functions, particularly given the "mitigations" employed for the adjacent residential conversion were ineffective and imposed operational restriction on Class B2 Use. In this regard, Policy B.1 Criterion 3 should be amended, as follows, so that the proposals which are noise sensitive (from the industrial operation including delivery/traffic) should demonstrate that the function of SIL sites will not be undermined.

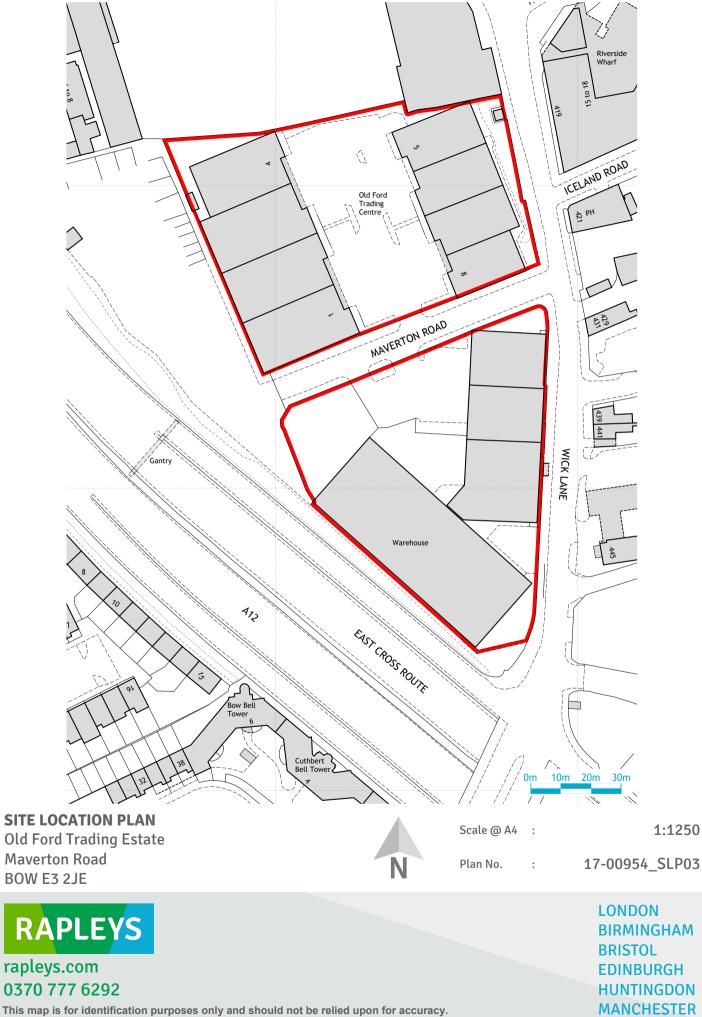
Policy B.1 Criterion 3 "The industrial floorspace capacity and job densities of the SIL will be protected and intensified, where appropriate. The intensification and consolidation of SIL for other uses will only be acceptable where identified within Table 3 and the relevant site allocations. <u>Notwithstanding the allocation, proposals that compromise the</u> function, access and overall operation of existing SIL uses and land, having regard to Classes B2/B8 operational requirements in terms of noise generation and 24hour/7day <u>a week operation/delivery, will be refused</u>".

"Proposals should demonstrate an acceptable relationship with the existing SIL uses and ensure that noise-generating industrial uses remain viable and can continue or grow without unreasonable restrictions being placed on them, taking into account the function of SIL sites and industrial/warehousing operators' ability to operate 24 hours and 7 days a week. Mitigation measures should ensure that Classes B2/B8 operations will not have undue restrictions on noise generation or delivery hours."

3 CONCLUSION

- 3.1 In summary, we object to LLDC's approach to economic growth and SIL sites with reference to Policy B.1 and Table 3 B.1a2 as the Plan fails to meet the tests of the Framework for the following reasons:
 - The Plan needs to recognise the industrial/warehousing sectors' demand and operational requirements in planning for safeguarding SIL sites.
 - Policy B.1 does not go far enough in protecting the safeguarded SIL sites for industrial and warehousing functions. It is imperative that any future non-SIL uses do not further constrain the function and operation of premises within SILs;
 - Within all SILs, all B Class Uses and uses are akin to industrial and warehousing operations should be promoted and supported, including not only B2 and B8 but also alternative industrial uses within Class B1c or sui generis uses such as car hire and tool hire which typically seek industrial locations without compromising their ability to operate on a 24 hour 7 day a week basis.
 - The Plan is not sufficiently flexible to respond to the changing circumstances and characters of Fish Island South Cluster SIL which undermines the viability and deliverability of future redevelopment of the Trading Estates.

Appendix 01
SITE LOCATION PLAN



This map is for identification purposes only and should not be relied upon for accuracy © Crown copyright and database rights 2018. OS Licence No. 100004619

PLANNING PERMISSION FOR OLD FORD TRADING ESTATE (REF:17/00291/FUL) AND UNIT 2 MAVERTON ROAD TRADING ESTATE (REF:18/00083/FUL)



FULL PLANNING PERMISSION APPROVAL

Town and Country Planning Act 1990 (as amended) Town and Country Planning (Development Management Procedure) (England) Order 2015

Please see notes at the end of this notice					
Applicant		Agent			
LaSalle Investment Management c/o Agent		Alastair Bledowski Rapleys LLP 51-53 Great Marlborough Street London W1F 7JT			
Part I	- Particulars of Applicatio	'n			
Date of Application: 29-Jun-2017		Application No: 17/00291/FUL			
Proposal:	Proposed change of use of the existing premises in Old Ford Trading Estate from Classes B1(c) (Light industry) and B8 (Storage and distribution) to allow for flexible uses within Classes B1(c) and/or B2 (General industry) and/or B8.				
Location:	Old Ford Trading Estate, Maverton Road, London, E3 2JE				
Part II	- Particulars of Decision				

In pursuance of the powers under the above Act and Order the London Legacy Development Corporation hereby gives notice that **PLANNING PERMISSION HAS BEEN APPROVED** for the carrying out of the development referred to in Part I hereof and as described and shown on the application and plan(s) submitted, subject to the following conditions and notes:

 The development hereby permitted (hereinafter referred to as the "Development") shall be commenced (meaning initiated as defined in section 56(4) of the Town and Country Planning Act 1990, hereinafter referred to as "Commenced") before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Unless minor variations have been agreed by the Local Planning Authority and to the extent that it does not deviate from this permission, the development shall be carried out in accordance with the

following details and plan numbers:

Site Location Plan ref 17-00954-SLP_01 Block Plan ref 17-00954_BLP01 Noise Impact Assessment Revision 2 ref RP01-17445 dated 30 August 2017

and the description of the development contained in the application and any other plans, drawings, documents, details, schemes or strategies which may have been approved by the Local Planning Authority pursuant to this condition unless other minor variations have been agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is undertaken in accordance with the approved drawings.

3. Between the hours of 07:00 and 23:00 noise emissions from any individual unit in Class B2 operation shall not exceed a rating level (as defined in BS4142) of 10dB below the established background noise level (LA90, 1 hour daytime 07:00-23:00) at any residential receptor.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 123 of the National Planning Policy Framework.

4. Prior to the occupation of any unit for Class B2 operations outside the hours of 07:00 to 23:00, a noise assessment demonstrating that the noise emissions from the operation of each individual unit shall not exceed a rating level (as defined in BS4142) of 10dB below the established background noise level (LA90, 15 min night-time 23:00-07:00) at any residential receptor shall be submitted and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved noise assessment.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 123 of the National Planning Policy Framework.

5. No industrial, warehousing or storage activities shall take place on the site other than inside a building.

Reason: In the interests of the amenity of the area.

Condition informative: For the avoidance of doubt, this condition does not preclude the incidental storage of goods or materials outside of a building.

6. No materials or equipment shall be stored on the site other than inside a building.

Reason: In the interests of the amenity of the area.

Condition informative: For the avoidance of doubt, this condition does not preclude the incidental storage of materials or equipment outside of a building.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (Schedule 2, Part 7, Class H and Class I) or any Order revoking or re-enacting that Order, no extension or alteration, or the installation of external plant and machinery, shall be carried out in respect of the buildings to which this permission relates.

Reason: To prevent an intensification in the use of the premises that might affect amenity and to ensure that the impact of any additional plant and machinery can be controlled by the Local Planning

Authority.

8. In relation to any Class B2 activities at the site, no deliveries shall be taken at or despatched from the site outside the hours of 06:00 to 23:00.

Reason: To safeguard the residential amenities of neighbouring properties.

Proactive and Positive Statement

In accordance with the National Planning Policy Framework and with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the following statement explains how the LLDC as Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with this planning application:

Following submission of the planning application to LLDC, the local planning authority continued to work with the applicant in a positive and proactive manner. The planning application complies with planning policy as stated above and was determined to an extended timeframe that was agreed with the applicant.

The applicant has been kept informed of the progress of the application and has been given the opportunity to respond to and address any problems arising.

Dated this: 6th October 2017

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Anthony Hollingsworth Director of Planning Policy and Decisions London Legacy Development Corporation

London Legacy Development Corporation

Town and Country Planning Act 1990 (as amended)

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal then you must do so within SIX months of the date of this notice (unless your proposal relates to a householder appeal or minor commercial appeal as defined in Article 37 of the DMPO 2015 in which case you must do so within TWELVE weeks of the date of this notice), using a form, which is available from the Planning Inspectorate, (a copy of which must be sent to London Legacy Development Corporation Planning Policy and Decisions Team) or complete an application online. The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (e-mail: enquiries@pins.gsi.gov.uk) or (Tel: 0117 372 8000).

To make an appeal online, please use <u>www.gov.uk/appeal-planning-inspectorate</u>. The Inspectorate will publish details of your appeal on the internet. This may include copies of documentation from the original planning application and relevant supporting documents supplied to the local authority, and or information, including personal information belonging to you that you are happy will be made available in this way. If you supply personal information belonging to 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.

- * 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 it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- * In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notice

- * 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 can he render the land capable of a reasonably beneficial use by carrying out 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 Part VI of the Town and Country Planning Act 1990.



FULL PLANNING PERMISSION APPROVAL

Town and Country Planning Act 1990 (as amended) Town and Country Planning (Development Management Procedure) (England) Order 2015

Please see notes at the end of this notice					
Applicant		Agent			
LaSalle Investment Management on behalf c/o agent		Wakako Hirose Rapleys LLP 51-53 Great Marlborough Street London W1F 7JT			
Part I	- Particulars of Application	on			
Date of Appli	cation: 21-Feb-2018	Application No: 18/00083/FUL			
Proposal:	Full planning permission for use of the existing premises to allow for flexible uses within Classes B1(c) and/or Class B2 and/or Class B8, and/or plant/tool hire (Sui Generis) including the use of the forecourt as open storage.				
Location:	Unit 2, Maverton Road Industrial Estate, Maverton Road, London, E3 2JE				
Part II	- Particulars of Decision				

In pursuance of the powers under the above Act and Order the London Legacy Development Corporation hereby gives notice that **PLANNING PERMISSION HAS BEEN APPROVED** for the carrying out of the development referred to in Part I hereof and as described and shown on the application and plan(s) submitted, subject to the following conditions and notes: The development hereby permitted (hereinafter referred to as the "Development") shall be commenced (meaning initiated as defined in section 56(4) of the Town and Country Planning Act 1990, hereinafter referred to as "Commenced") before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2. The development shall be carried out in accordance with the following details and plan numbers:
 - Drawing 20040-01H-02 Rev H (Cycle/ Car Parking Layout)
 - Drawing 17-00954_BLP02 (Block Plan)
 - Bike Shelter Bowland

and the description of the development contained in the application and any other plans, drawings, documents, details, schemes or strategies which may have been approved by the Local Planning Authority pursuant to this condition unless other minor variations have been agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is undertaken in accordance with the approved drawings.

 Between the hours of 07:00 and 23:00 noise emissions from any Class B2 use operation shall not exceed a rating level (as defined in BS4142) of 10dB below the established background noise level (LA90, 1 hour daytime 07:00-23:00) at any residential receptor.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 123 of the National Planning Policy Framework.

4. Prior to the occupation of the site for Class B2 operations outside the hours of 07:00 to 23:00, an acoustic report detailing the rated noise level from any plant, together with any ducting, which shall be at below the established background noise level (LA90, 15 min night-time 23:00-07:00) at any residential receptor shall be submitted and approved in writing by the Local Planning Authority. The method of assessment shall be carried out in accordance with BS4142. The plant, equipment and any mitigation set out in any approval granted shall be permanently maintained thereafter and the development shall then be carried out in accordance with the approved details.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 123 of the National Planning Policy Framework.

5. No industrial, warehousing or storage activities shall take place on the site other than inside a building.

Reason: In the interests of the amenity of the area.

6. No materials or equipment shall be stored on the site other than inside a building.

Reason: In the interests of the amenity of the area.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (Schedule 2, Part 7, Class H and Class I) or any Order revoking or re-enacting that Order, no extension or alteration, or the installation of external plant and machinery, shall be carried out in respect of the buildings to which this permission relates.

Reason: To prevent an intensification in the use of the premises that might affect amenity and to ensure that the impact of any additional plant and machinery can be controlled by the Local Planning Authority.

8. In relation to any Class B2 activities at the site, no deliveries shall be taken at or despatched from the site outside the hours of 06:00 to 23:00.

Reason: To safeguard the residential amenities of neighbouring properties.

Informatives:

1. For the avoidance of doubt, condition 6 does not preclude the incidental storage of goods, equipment or materials outside of a building.

Proactive and Positive Statement

In accordance with the National Planning Policy Framework and with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the following statement explains how the LLDC as Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with this planning application:

Following submission of the planning application to LLDC, the local planning authority continued to work with the applicant in a positive and proactive manner. The planning application complies with planning policy as stated above and was determined in a timely manner.

The applicant has been kept informed of the progress of the application and has been given the opportunity to respond to and address any problems arising.

Dated this: 25th July 2018

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Anthony Hollingsworth Director of Planning Policy and Decisions London Legacy Development Corporation

London Legacy Development Corporation

Town and Country Planning Act 1990 (as amended)

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal then you must do so within SIX months of the date of this notice (unless your proposal relates to a householder appeal or minor commercial appeal as defined in Article 37 of the DMPO 2015 in which case you must do so within TWELVE weeks of the date of this notice), using a form, which is available from the Planning Inspectorate, (a copy of which must be sent to London Legacy Development Corporation Planning Policy and Decisions Team) or complete an application online. The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (e-mail: enquiries@pins.gsi.gov.uk) or (Tel: 0117 372 8000).

To make an appeal online, please use <u>www.gov.uk/appeal-planning-inspectorate</u>. The Inspectorate will publish details of your appeal on the internet. This may include copies of documentation from the original planning application and relevant supporting documents supplied to the local authority, and or information, including personal information belonging to you that you are happy will be made available in this way. If you supply personal information belonging to 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.

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- * In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notice

- 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 can he render the land capable of a reasonably beneficial use by carrying out 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 Part VI of the Town and Country Planning Act 1990.