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CERTIFICATE OF LAWFUL USE OR DEVELOPMENT APPEAL

If you need this document in large print, on audio tape, in Braille or in another language, please contact our Helpline on 0303 444 5940. **To help you fill in this form correctly please refer to our Procedural guide for Wales.**

WARNING: Your appeal must reach The Planning Inspectorate within 6 months of the date of the Local Planning authority's decision notice. *(NOTE: If any of the "Essential supporting documents" listed in Section J are not received by us within the appeal period, the appeal will not be accepted)*

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. Appellant

Name	
Organisation Name (if applicable)	

B. Agent (if any) for the appeal

Name		
Organisation Name (if applicable)		
Reference		

C. Local planning authority (LPA)

Name of the LPA		
LPA's application reference number		
Date of application to LPA		
Date of LPA's Decision (if issued)		

D. Appeal site address

Address	
Postcode	

	YES*	NO
Are there any health and safety issues at, or near the site which the Inspector would need to take into account when visiting the site? <i>*If yes, please explain in your full statement of case (section G)</i>		

	YES*	NO
Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land?		
Is it essential for the Inspector to enter the site to check measurements or other relevant facts? <i>* If the answer is 'YES' please explain below</i>		

NOTE: The Inspector will usually visit the site unaccompanied by either party. But, If the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

E. Details of the Appeal

I appeal under section 195(1) of the Town and Country Planning Act 1990 (as amended) against:

Please tick **ONE** box only



- | | | |
|---|---|--------------------------|
| 1 | The decision of the LPA refusing/refusing in part to grant a certificate of lawful use or development | <input type="checkbox"/> |
| 2 | The LPA's failure to give notice of their decision within the appropriate period on an application for a certificate of lawful use or development | <input type="checkbox"/> |

Give a precise description of the proposed or existing use, operation or activity as outlined in the application in respect of which certificate is sought.

Was the application made under section **191** or **192**?

SECTION

What was the **actual** use of the site at the time of application to the LPA?

If not in use, write 'nil' and state last know use

E. Details of the appeal (continued)

	YES	NO
In the case of a proposal, had it been started before the application to the LPA was made?		
Is there an effective enforcement notice on the site?		
Is flooding an issue?		
Does the development affect the setting of a listed building?		
Is the appeal site within an Area of Outstanding Natural Beauty?		
Does the site lie within a conservation area?		
Does the site lie within a green belt/green wedge?		
Is the site within a Site of Specific Scientific Interest (SSSI)?		

F. Other appeals

	YES	NO
Have you made any other appeals to us, for this, or nearby land, for example, against a refusal of planning permission?		
If yes please give details, including our reference number, if known		

G. Full Statement of Case

This is your **only** opportunity to make your case in connection with the reason for the appeal. Therefore please provide your **FULL** statement of case. This should be a clear and concise statement of your full case and the reason(s) why you consider the subject of the application to be lawful. Please refer to our Procedural Guide for Wales for further information.

NOTE: the planning merits of what has been applied for are not relevant in deciding an application or an appeal; it rest entirely on the facts involved in each case.

Please continue on a separate sheet if necessary

H. Procedure (see guidance for further information)

Appeals dealt with under Part 4 of The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 can be considered on the basis of written representation, a hearing, an inquiry or combined proceedings. In accordance with the Town and Country Planning (Determination of Procedure) (Wales) Order 2017 the Planning Inspectorate must make a determination as to the procedure. Therefore we will take in to consideration your views below when determining the procedure. If insufficient reasons are given for a hearing or inquiry we may adopt the written representations procedure.

Please tick **ONE** box only



I consider the written representations procedure is appropriate

I do not consider that the written representations procedure is appropriate for the reasons given in the box below. I accept that it will be the Inspectorate's discretion as to whether a hearing, inquiry or combination will take place.

If you feel that a hearing or inquiry is needed please provide your full reasons below, including the likely number of days you feel that the event will last and how many witnesses you intend to call.

I. Application for an award of costs (see guidance for further information)

	YES	NO
Do you intend to submit a costs application with this appeal? <i>If yes, it must be submitted below</i>		

(This area is shaded grey and is intended for the submission of a costs application if the respondent answers 'Yes' to the question above.)

Please continue on a separate sheet if necessary

J. Essential Supporting documents

Please enclose with the appeal form a copy of each of the following documents.

Please tick the boxes to show which documents you are enclosing.



1	The application made to the LPA	<input type="checkbox"/>
2a	Each of the plans, drawings and documents sent to the LPA as part of the application they considered	<input type="checkbox"/>
2b	List of plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA	<input type="checkbox"/>
3	The LPA's decision (if any)	<input type="checkbox"/>
4	All other relevant correspondence with the LPA.	<input type="checkbox"/>
5	A list (stating drawing numbers) and copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).	<input type="checkbox"/>
6	A site plan showing the site marked in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 Ordnance Survey map). Any other adjoining land owned or controlled by the appellant (if any) edged or shaded in blue)	<input type="checkbox"/>
7	If the appeal is against the LPA's failure to decide an application, please supply a copy of the LPA's letter registering the application	<input type="checkbox"/>

Personal Details (these will not *be made publicly available*)

1. Appellant personal details

Address	
Postcode	
Daytime Telephone	
Fax	
E-mail	

	English	Welsh
Language Preference		


	E-mail	Post
I prefer to be contacted by		

2. Agent personal details (if any)

Address	
Postcode	
Daytime Telephone	
Fax	
E-mail	

	English	Welsh
Language Preference		

	E-mail	Post
I prefer to be contacted by		

 The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection Policy can be found on our website under "Privacy Policy" (http://planninginspectorate.wales.gov.uk/privacy_policy)

Please sign below (signed forms with all supporting documents must be received by us within the appeal period)

	Yes	No
I confirm that I have sent a copy of this appeal form and all relevant documents to the LPA (if you do not your Appeal will not normally be accepted).		
I confirm that all sections have been fully completed to the best of my knowledge.		
I understand that you may use the information I have given for official purposes in connection with the Town and Country Planning Act 1990 and details including my name, the site description and my statement of case will appear online. By submitting this form I am agreeing to the use of the information I provide in this way.		

Name (in capitals)

Signature Date

On behalf of (if applicable)

Send

1 COPY of this appeal form with supporting documents to us at:

The Planning Inspectorate
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

E-mail: wales@pins.gsi.gov.uk

Helpline: 0303 444 5940

1 COPY to the LPA

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

There is no need to send them all the supporting documents again; only send them any supporting documents not previously sent as part of the application.

Please keep a copy for your records

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

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