

28 August 2020



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Dear Sir/Madam

42 Avenue Road, NW8 6HS
Application for Additional Environmental Approval to Extend Planning Permission

On behalf of my client, Mr Nick Capstick-Dale, I write to submit an application for Additional Environmental Approval to extend planning permission ref: 2015/4414/P granted on 31 March 2017 for the following:

Installation of car stacker within front forecourt including excavation at sub-basement level

This planning permission had, in normal circumstances, expired without being implemented on 31 March 2020. However, under the Business and Planning Act 2020 the Town and Country Planning Act 1990 (as amended) is now subject to modification through the introduction of Section 93B that extends some otherwise expired planning permissions to allow implementation until 1 May 2021.

I enclose a copy of the relevant planning permission decision notice.

There is no fee related to this form of application.

Section 93B - Extension of certain planning permissions: Additional environmental approval

As introduced by the Business and Planning Act 2020, parts 1-3 of Section 93B of the Town and Country Planning Act 1990 (as amended) state as follows:

- 1) *This section applies in relation to relevant planning permission granted or deemed to be granted—*
 - a. *in relation to the development of land in England, and*
 - b. *subject to a condition which has the effect that the development to which the permission relates must be begun not later than a time falling within the period—*
 - i. *beginning with 23 March 2020, and*
 - ii. *ending with the day before that on which section 17 of the Business and Planning Act 2020 comes into force.*

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- 2) *If an approval under this section ("an additional environmental approval") is granted, or deemed to be granted, in relation to the relevant planning permission—*
 - a. *the condition is deemed to provide instead that the development to which the permission relates must be begun not later than 1 May 2021, and*
 - b. *the time by which the development must be begun is not to be extended (whether by section 91(3B) or otherwise) to a later time than that for the time being provided for in paragraph (a)*
- 3) *A person with an interest in the land or a person acting on behalf of such a person ("the applicant") may make an application to a local planning authority in whose area the land is situated for an additional environmental approval in relation to the relevant planning permission*

The remaining parts of Section 93B provide more detail on the processes for considering a request for additional environmental approval. Of most relevance is part (8) which states:

- 8) *The local planning authority is to grant the additional environmental approval in relation to the relevant planning permission if and only if—*
 - a. *the EIA requirement is met, and*
 - b. *the habitats requirement is met.*

In summary, a planning permission that has otherwise expired within the relevant period without being implemented can be revived, with the final date for lawful implementation extended until 1 May 2021, if it is possible to give an additional environmental approval.

Assessing for Additional Environmental Approval

The following information is provided to confirm the planning permission to which this application applies and its status with regard to giving an additional environmental approval.

- ***The planning permission to which the application relates***

Planning permission ref. 2015/4414/P was granted on 31 March 2017 for the following development:

Installation of car stacker within front forecourt including excavation at sub-basement level

- ***The condition(s) which set out the time limit(s) for implementation***

Condition 1 of planning permission ref: 2015/4414/P states that:

'The development hereby permitted must be begun not later than the end of three years from the date of this planning permission'.



The planning permission was dated 31 March 2017 and as such in accordance with Condition 1 it expired on 31 March 2020.

- ***Does the planning permission expiry fall within the relevant period?***

Section 93B applies to any planning permission that expired in the time period beginning 23 March 2020 and ending on 19 August 2020 (the date when the relevant parts of the Business and Planning Act 2020 took effect). This permission expired on 31 March 2020 which is within the relevant period and as such can now be extended in accordance with these regulations.

- ***Whether the original permission was subject to an Environmental Impact Assessment and/or a Habitats Regulation Assessment, or screening for either type of assessment***

The original planning permission was granted without the need for an Environmental Impact Assessment or a Habitats Regulations Assessment.

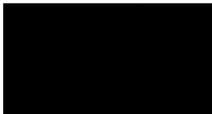
The development permitted relates only to householder works to a single dwelling and thus falls far short of the minimum threshold at which such assessments would be required.

Nothing has changed since the granting of permission in 2017 and neither of these assessments would be needed if the same application for planning permission was being made now.

I trust that the enclosed is sufficient to process the application and approve this request for Additional Environmental Approval in accordance with Section 93B of the Business and Planning Act 2020 and that the final expiry date for implementation of planning permission 2015/4414/P will now be 1 May 2021.

If any further information is required, please do not hesitate to contact me using the details set out at the head of this letter. Otherwise, I look forward to receiving confirmation of the extension of the planning permission within 28 days of the date of this letter.

Yours faithfully



Nigel Dexter
Associate