

SCHEDULES

SCHEDULE 4

GRANT OF PERMITS

PART 2

DETERMINATION OF APPLICATIONS

14.—(1) If the enforcing authority proposes to grant a permit subject to an off-site condition, it shall, before granting the permit, give a notice which complies with sub-paragraph (2) to every person appearing to it to be a person falling within sub-paragraph (3).

(2) A notice served under sub-paragraph (1) shall—

- (a) be in writing;
- (b) set out the off-site condition in question;
- (c) indicate the nature of the works or things which that condition might require the holder of the permit to carry out or do; and
- (d) specify the period allowed for the purpose of paragraph 15 for making representations to the enforcing authority relating to the condition or its possible effects and the manner in which any such representations are to be made.

(3) A person falls within this sub-paragraph if—

- (a) that person is the owner, lessee or occupier of land; and
- (b) that land is land in relation to which it is likely that, as a consequence of the permit being issued subject to the off-site condition in question, rights will have to be granted by virtue of regulation 13(7) to the holder of the permit.

(4) In sub-paragraph (3), “owner” means the person who—

- (a) is for the time being receiving the rack-rent of the land, whether on that persons own account or as agent or trustee for another person; or
- (b) would receive the rack-rent if the land were let at a rack-rent,

but does not include a mortgagee not in possession.