

Town and Country Planning Act 1990
Section 191 (as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (England) Order 2015:
Article 39

Refusal of Certificate of Lawful Use or Development

Applicant:	Leeds Bradford Airport Limited	Application Number:	23/07493/CLE
Agent:	Herbert Smith Freehills LLP C Howard Exchange House Primrose Street London EC2A 2EG	Date Accepted:	14 December 2023
		Date Issued:	21 March 2024

First Schedule:

It is lawful for any aircraft, regardless of quota count and regardless of the cap on movements in Condition 7 to land at the airport in the following circumstances: (a) delayed landings up to 0100 hours by aircraft scheduled to land at Leeds Bradford Airport between 07:00 hours and 23:00 hours; and (b) any emergency flights, i.e a flight where there is an immediate danger to life or health, whether human or animal are permitted.

Second Schedule:

The land and/or buildings situated at: Leeds And Bradford Airport Victoria Avenue Yeadon Leeds LS19 7TU as shown edged red on the submitted plan.

Leeds City Council with regard to the application submitted on 14 December 2023 for the use and/or development described in the First Schedule hereto in respect of the land and/or buildings specified in the Second Schedule hereto and shown edged red on the submitted plan, has **refused** the application for the following reason:

Leeds Bradford Airport, Victoria Avenue, Yeadon

The evidence submitted with the application does not, on the balance of probabilities, support the applicants case.

The Local Planning Authority consider that it is not lawful for 'any' aircraft as specified in the description of development in the application, regardless of quota count and regardless of cap on movements in Condition 7 to land at the airport in the following circumstances
(a) delayed landings upto 01:00 hours by aircraft scheduled to land at Leeds Bradford Airport between 07:00 hours and 23:00 hours and
(b) any emergency flights.

Town and Country Planning Act 1990
Section 191 (as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (England) Order 2015:
Article 39

Refusal of Certificate of Lawful Use or Development

Condition 9 only applies to aircraft movements falling within Conditions 4 and 5 and only those movements that meet the specific criteria set out in (a) and (b) of Condition 9 do not count against the movement limit specified in Condition 7.

The certificate is refused

NOTES:

1. This refusal does not preclude the submission of a further application in respect of the use and/or development if new or better evidence is available.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse the application you can appeal to the Secretary of State under Sections 195 and 196 of the Town and Country Planning Act 1990. You should use a form which you can obtain from www.gov.uk/appeal-planning-decision or by email from enquiries@planninginspectorate.gov.uk or by phoning 0303 444 5000.

You must send one copy of the completed form to planning.appeals@leeds.gov.uk or Appeals Administration, Planning Services, Leeds City Council, Merrion House, 110 Merrion Centre, Leeds, LS2 8BB as well as to the Planning Inspectorate at the address on the form.

If you intend to submit an appeal that you would like examined by inquiry, you should notify the Local Planning Authority (planning.appeals@leeds.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) of your intention to appeal a minimum of 10 working days before the appeal is submitted to the Planning Inspectorate.

The notification form and further guidance is available at www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal