Date Of Decision : 06 December 2018
Development : Erection of up to 380 residential dwellings (inc. Affordable Housing) with new vehicular, cycle and pedestrian access from Salhouse Road and new pedestrian and cycle access from Plumstead Road incorporating an emergency vehicular access. The provision of open space, sustainable urban drainage systems; associated landscaping, infrastructure and earthworks
Location : Land South of Salhouse Road, Sprowston
Applicant : United Business and Leisure Limited
Application Type: Planning Application Outline

The Council in pursuance of powers under this Act GRANTS OUTLINE PLANNING PERMISSION for the development referred to above in accordance with the submitted plans and application forms subject to the following conditions:-

1 Application for approval of ALL "reserved matters" must be made to the Local Planning Authority not later than the expiration of THREE years beginning with the date of this decision.

The development hereby permitted must be begun in accordance with the "reserved matters" as approved not later than the expiration of TWO years from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

2 Application for the approval of the "reserved matters" shall include plans and descriptions of the:
   i) details of the layout;
   ii) scale of each building proposed
   iii) the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction;
   iv) the means of access to the site and
   v) the landscaping of the site.

Approval of these "reserved matters" must be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.
The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below:

- Implementation Phasing Plan UBL-IMP-2018-1 dated 6 August 2018
- Environmental Statement Volume 2 received 20 January 2017
- Environmental Statement Volume 1 received 20 January 2017
- Utilities Statement received 20 January 2017
- Travel Plan received 20 January 2017
- Transport Assessment received 20 January 2017
- Phase 1 Contaminated Land Assessment received 20 January 2017
- Flood Risk Assessment received 20 January 2017
- Dwg No 20976_013 Site & Location Plan received 19 January 2017
- Dwg No 00_002 Proposed 4 Arm Traffic Signal Junction Arrangement received 19 January 2017
- Archaeological Desk Based Assessment received 20 January 2017
- Arboricultural Impact Assessment received 20 January 2017
- Amended Dwg No 20976_014_C Parameter Plan 1 Access and Movement received 19 March 2018
- Amended Dwg No 20976_015_C Parameter Plan 2 Land Use received 19 March 2018
- Amended Dwg No 20976_017_C Parameter Plan 3 Density received 19 March 2018
- Amended Dwg No 20976_018_C Parameter Plan 4 Storey Heights received 19 March 2018

No development shall commence on a phase or parcel until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase or parcel of the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details for that phase or parcel until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Prior to the commencement of each phase or parcel of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following for that phase or parcel:

- i) Roads, footways, cycleways, foul and on-site water drainage.
- ii) Roads and footway.
- iii) Foul and surface water drainage.
- iv) Visibility splays.
- v) Access arrangements.
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.
- ix) Driveway length.
- x) Garage sizes.
- xi) Cycle parking.

Development shall not commence on each phase or parcel of development until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period for that phase or parcel has been
submitted to and approved in writing by the Local Planning Authority. The scheme for that phase or parcel shall be implemented throughout the construction period of that phase or parcel of development.

7 Prior to the commencement of any works for a phase or parcel a Construction Traffic Management Plan for that phase or parcel shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

8 For the duration of the construction period for a phase or parcel all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' for that phase or parcel and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.

9 No works shall commence on each phase or parcel of the development until the details of wheel cleaning facilities for construction vehicles for that phase or parcel have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

10 For the duration of the construction period for a phase or parcel all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in condition 9.

11 Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme demonstrating appropriate highway links to adjacent developments to ensure vehicular, pedestrian and cycle permeability have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

12 Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Create Consulting drawing number 00/002 for a 4-arm signalised junction have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

13 Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 12 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

14 Prior to the commencement of the construction of the first dwelling on each phase or parcel hereby permitted an Interim Travel Plan for that phase or parcel shall be submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Norfolk County Council document 'Guidance Notes for the Submission of a Travel Plan'.

15 No part of the development on each phase or parcel hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in condition 14 for that phase or parcel. During the first year of occupation an
approved Full Travel Plan based on the Interim Travel Plan referred to in shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

16 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, garage accommodation on the site shall be provided with minimum internal dimensions measuring 3 metres x 7 metres.

17 The driveway length in front of the garage(s) shall be at least 6 metres as measured from the garage doors to the highway boundary.

18 No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.

19 All footway(s) and cycleway(s) shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority in consultation with the Highway Authority.

20 Prior to the commencement of development a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be implemented as approved.

21 Prior to the commencement of development a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall meet the requirements of BS 42020:2013 Biodiversity - Code of Practice for Planning and Development. The LEMP shall be implemented as approved.

22 As part of any reserved matters application, a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the submitted FRA and include:

I. Further detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed SuDS structures.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period including allowances for climate change flood event plus additional storage for a subsequent 1:10 rainfall event. The design should use the lowest infiltration rates and an appropriate freeboard, as standard protection to allow them to contain a subsequent rainfall event that occurs before the first has drained away.

III. Detailed designs, modelling calculations and plans of the drainage conveyance network in the 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site and 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility
plant susceptible to water (e.g. pumping station or electricity substation) within
the development
IV. The design of the attenuation basin will incorporate an emergency spillway
and any drainage structures include appropriate freeboard allowances. Plans
to be submitted showing the routes for the management of exceedance
surface water flow routes that minimise the risk to people and property during
rainfall events in excess of 1 in 100 year return period.
V. Finished ground floor levels of properties are a minimum of 300mm above
expected flood levels of all sources of flooding.
VI. Details of how all surface water management features to be designed in
accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The
SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for
water quality prior to discharge.
VII. If the use of infiltration is not possible at these depths, then modelling shall
be submitted to demonstrate that the surface water runoff will be restricted to
below the existing Greenfield runoff rates in the equivalent 1 in 1 year, 1 in 30
year and 1 in 100 year rainfall events, including climate change as specified in
the FRA.
VIII. A maintenance and management plan detailing the activities required and
details of who will adopt and maintain the all the surface water drainage
features for the lifetime of the development.

The scheme shall be fully implemented and subsequently maintained, in
accordance with the timing/phasing arrangements embodied within the
scheme, or within any other period as may subsequently be agreed, in writing,
by the local planning authority.

No development shall commence until a foul water strategy has been
submitted to and approved in writing by the Local Planning Authority. No
dwellings shall be occupied until the works have been carried out in
accordance with the foul water strategy so approved unless otherwise agreed
in writing by the Local Planning Authority.

Prior to the commencement of the development, a Materials Management
Plan-Minerals (MMP-M) shall be submitted to and approved in writing by the
Local Planning Authority in consultation with the Mineral Planning Authority:

A Mineral Safeguarding Appraisal will inform a Materials Management Plan-
Minerals (MMP-M) in so far as the fact that the site contains a viable mineral
resource for prior extraction.

The MMP-M will consider the extent to which on site materials which could be
extracted during the proposed development would meet specifications for use
on site through testing and assessment.

The MMP-M should outline the amount of material which could be reused on
site; and for material extracted which cannot be used on-site its movement, as
far as possible by return run, to an aggregate processing plant.

The development shall then be carried out in accordance with the approved
MMP-M.

The developer shall keep a record of the amounts of material obtained from
on-site resources which are used on site and the amount of material returned
to an aggregate processing plant, through the MMP-M. The developer shall
provide an annual return of these amounts to the Local Planning Authority and
the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

25 Prior to the commencement of any parcel or phase of development a scheme for the provision of fire hydrants as maybe required for said phase or parcel shall be submitted to and approved in writing by the Local Planning Authority in consultation with Norfolk County Council.

26 Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development’s energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development of each phase or parcel. The details as approved shall be completed prior to the first occupation of any part of the development hereby permitted and thereafter shall be maintained.

27 A scheme for landscaping and site treatment for each phase or parcel to include grass seeding, planting of new trees and shrubs, specification of materials for fences, walls and hard surfaces, and the proposed maintenance of amenity areas, shall be submitted to and approved prior to the commencement of development of that phase or parcel. The scheme shall also include the positions of all existing trees (which shall include details of species and canopy spread) and hedgerows both on the site and within 15m of the boundaries together with measures for the protection of their above and below ground parts during the course of development.

The scheme as approved shall be carried out not later than the next available planting season following the commencement of development on that phase or parcel or such further period as the Local Planning Authority may allow in writing.

If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

28 The plans and particulars submitted in accordance with condition 27 above shall include:

(a) a plan showing the location of, and allocating a reference number to every tree on the site which has a stem with a diameter, measured over the bark at a point 1.5metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread and Root Protection Area of each tree to be retained. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area (para. 4.6.1 of BS5837 2012 Trees in relation to design, demolition and construction - Recommendations) or general landscape factors) must be shown.

(b) the details of each tree as required at para 4.4.2.5 of BS5837: 2012 in a separate schedule.
(c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruned or subject to other remedial or preventative work.

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within 5m of the Root Protection Area (para. 4.6.1 of BS5837: 2012) of any retained tree including those on neighbouring ground.

(e) details of the specification and position of all appropriate tree protection measures for the protection of every retained tree from damage before and for the entire duration of the course of the development.

(f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.

In this condition, ‘retained tree’ means an existing tree which is to be retained in accordance with paragraph (a) and (b) above.

Concurrently with the submission of each of the "reserved matters" for a phase or parcel required by Condition 1 above a desk study (A) must be submitted to the Local Planning Authority in line with current good practice guidance. The report must include a conceptual site model and risk assessment to determine whether there is a potentially significant risk of contamination that requires further assessment.

Based on the findings of the desk study a site investigation and detailed risk assessment (B) must be completed to assess the nature and extent of any contamination on the phase or parcel, whether or not it originated on the phase or parcel. The report must include:

1) A survey of the extent, scale and nature of contamination

2) An assessment of the potential risks to possible receptors identified in the desk study report

The report must also include a revised and updated conceptual site model and risk assessment. There must be an appraisal of the remedial options, and details of the preferred remedial option(s). This must be conducted in accordance with currently accepted good practice guidance.

(C) Based on the findings of the site investigation a detailed remediation method statement must be submitted for approval. Remediation must bring the phase or parcel to a condition suitable for the intended use. The method statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990. Remediation work cannot commence until written approval of the proposed scheme is received from the Local planning Authority.

(D) Following the completion of the remedial measures identified in the approved remediation method statement a verification report (D) (also called a validation report) that scientifically and technically demonstrates the effectiveness and success of the remediation scheme must be produced. Where remediation has not been successful further work will be required.
In the event that previously unidentified contamination is found during the development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken as per Part (B) above, and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with parts (C) and (D) above.

Prior to the commencement of development of any parcel or phase of development a geophysical survey of the phase or parcel shall be undertaken in accordance with a recognised methodology and the findings submitted to the Local Planning Authority. Based on the findings of the geophysical survey, a Scope and Programme of Works for appropriate further archaeological site investigations, including inter alia trial trenching, shall be prepared and submitted for written approval by the Local Planning Authority and works carried out in accordance with the approved scope and programme for the relevant phase or parcel.

No development shall take place on any phase or parcel of development until a Written Scheme of Investigation for a programme of archaeological works for that phase or parcel has been submitted to and approved by the local planning authority in writing. The scheme shall include:

1. An assessment of the significance of heritage assets present
2. The programme and methodology of site investigation and recording
3. The programme for post investigation assessment of recovered material
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

The reasons for the conditions are:

1. The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Article 3 of the Town and country Planning (General Development Procedure) Order 1995.
3. For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
4. To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy TS3 of the Development Management DPD.
5. In the interest of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD.

In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD.

In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD.

To prevent extraneous material being deposited on the highway in the interests of maintaining highway safety in accordance with Policy TS3 of the Development Management DPD.

To prevent extraneous material being deposited on the highway in the interests of maintaining highway safety in accordance with Policy TS3 of the Development Management DPD.

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD.

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD.

To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy TS3 of the Development Management DPD.

To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with Policy TS2 of the Development Management DPD.

To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with Policy TS2 of the Development Management DPD.

To minimise the potential for on-street parking and thereby safeguard the interest of safety and convenience of road users in accordance with Policy TS3 of the Development Management DPD.

To ensure parked vehicles do not overhang the adjoining public highway, thereby adversely affecting highway users Policy TS3 of the Development Management DPD.

To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway Policy TS3 of the Development Management DPD.

To ensure satisfactory development of the site Policy TS3 of the Development Management DPD.

To ensure appropriate ecological mitigation for protected species in

21 To ensure appropriate ecological mitigation for protected species in accordance with Policy EN1 of the Development Management DPD 2015.

22 To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development To avoid causing future amenity problems.

23 To prevent environmental and amenity problems arising from flooding in accordance with National Planning Policy Framework paragraph 103 and 109.

24 To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.

25 In order to secure a satisfactory form of development in accordance with Policy GC4 of the Development Management DPD 2015.

26 To ensure an energy efficient development in accordance with Policy 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (amendments adopted 2014).

27 To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy EN2 of the Development Management DPD 2015.

28 To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy EN2 of the Development Management DPD 2015.

29 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EN4 of the Development Management DPD 2015.

30 To secure appropriate field evaluation and, thereby, mitigation of impact on archaeological and heritage assets in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.

31 To enable the archaeological value of the site to be properly recorded before development commences in accordance with Policy EN2 of the Development Management DPD 2015.

Informatives:-

1. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp

2. The Local Planning Authority has taken a proactive and positive approach to
decision taking in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

3. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a legal agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Control Group based at County Hall in Norwich.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the applicants own expense.

4. This development involves a Travel Plan to be implemented within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicants’ responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Town and Country Planning Act 1990 or Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Commuted Sum for Travel Plans:

The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement. This is in addition to the sum payable for Planning Obligations covering infrastructure, services and amenities requirements.

For residential development, Norfolk County Council offers a fully inclusive package covering the writing, implementation, on-going management and annual monitoring of a Travel Plan for 5 years post completion of the development. Up to date costs can be obtained by contacting Norfolk County Council. Developers are expected to enter into a Section 106 Agreement to secure the necessary funding before planning permission is granted.

5. The applicant is advised that to discharge certain highways conditions the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

6. The off-site works will be delivered by a Section 278 Agreement and the precise delivery mechanism will be determined as the works are brought forward. The applicant should be aware that there may be additional costs relating to the off-site works which will include a commuted maintenance amount as well as various fees including administration and supervision. The completed works will be subject to a Safety Audit and additional works may be required.
7. Please be aware it is the applicant's responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicant's title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.

8. This development has been considered through full accordance with Environmental Impact Assessment Regulations 1999 and subsequent amendments.

Signed

Mr P Courtier  
Head of Planning  
Broadland District Council, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU
Information relating to appeals against the decision of the Local Planning Authority.

If you are aggrieved by this decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

There are different time limits for appealing against the different types of application:

- If this is a decision relating to a householder application then any appeal must be made within **12 weeks** of the date of this notice.
- If this is a decision against any other type of application then any appeal must be made within **6 months** of the date of this notice.
- If an enforcement notice has been served for the same or substantially the same development within the period of two years before this application was made, or subsequently, then the period within which an appeal can be lodged is reduced to **28 days** from the date of this decision or 28 days from the serving of the enforcement notice, whichever is the later.

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.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel: 0303 444 00 00 or via the Planning Portal at [https://www.gov.uk/appeal-planning-inspectorate](https://www.gov.uk/appeal-planning-inspectorate)

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

**Purchase Notices**

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 render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.