

29 October 2024



Mr Matthew Pearce
45 Welbeck Road, London, United Kingdom, W1G
8DZ

Civic Centre
Tannery Lane
Ashford
Kent TN23 1PL
01233 331111
www.ashford.gov.uk

NOTIFICATION OF DECISION OF THE LOCAL PLANNING AUTHORITY: Town and Country Planning Act 1990 (as amended)

Case Reference	PA/2024/0820
Site Address	The Old Saw Mill, Pluckley Road, Bethersden, TN26 3DD
Proposal	4 no dwellings with associated hard and soft landscaping and other works following demolition of all existing buildings.

DECISION: PLANNING PERMISSION IS GRANTED in accordance with the application and plans subject to the following conditions:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply 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 development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Description	Date
Proposed Street Elevations - 22_109_15	26 April 2024
Location and Block Plan - 22_109_01 Rev A	26 April 2024
Proposed Plans and Elevations - Unit 1 - 22_109_10	26 April 2024
Proposed Plans and Elevations - Unit 2 - 22_109_11	26 April 2024
Proposed Garden Shed Plan & Elevations - 22_109_14	26 April 2024
Proposed Plans and Elevations - Unit 3 - 22_109_12	26 April 2024
Proposed Plans and Elevations - Unit 4 - 22_109_13	26 April 2024
Parking Strategy - 22_109_04 Rev A	1 August 2024
Refuse Strategy - 22_109_05 Rev B	1 August 2024
Proposed Site Ground Floor Plan - 22_109_03 Rev B	1 August 2024
Site Layout Plan - 22_109_09 Rev A	1 August 2024
Climate Mitigation Plan - 22_109_08 Rev A	1 August 2024
Proposed Boundary Plan - 22_109_06 Rev A	1 August 2024

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of the development, a scheme to deal with contamination of land and/or groundwater shall be submitted to and approved in writing by the Local Planning Authority and no development shall commence until the measures approved in that scheme have been implemented. The investigation report shall be conducted and presented in accordance with the guidance in LCRM land contamination risk management (formally CLR11) published by the Environment Agency. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desk-top study is commenced and it shall conform to any such requirement. A full copy of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.
- A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until: A desk-top study has been completed, satisfying the requirements of point (1) above. The requirements of the Local Planning Authority for site investigations have been fully established, and The extent and methodology have been submitted to and agreed in writing by the Local Planning Authority. A full copy of a report on the completed site investigation shall be submitted to and approved in writing by the Local Planning Authority without delay upon completion.
- A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme.
- A full copy of the completion report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To control pollution of land or water in the interests of the environment and public safety.

- 4 No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction and Transport Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Construction and Transport Management Plan shall include, but not be limited to the following:

- a) Details of areas for the parking, loading and unloading of plant and materials, and provision on site for turning / parking for personnel, delivery and construction vehicles;
- b) Details of areas for the storage of plant and materials;
- c) Details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances;
- d) Provision of measures to prevent the discharge of surface water onto the highway;
- e) Details of noise management (including vibration) and dust suppression;
- f) Maximum noise levels expected 1 metre from the affected façade(s) of any residential unit adjacent to the site;
- g) Details of any external lighting at the site during demolition and construction works;

- g) Design and provision of site hoardings; and
- f) hours of operation.

The approved Management and Transport Plan shall be adhered to throughout the duration of the demolition and construction period.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interest of the amenity of local residents.

- 5 No development shall commence until plans and particulars of a sustainable drainage system (including the details below) for the disposal of the site's surface water have been submitted to and approved in writing by the Local Planning Authority. The submitted system shall comprise retention or storage of the surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology. The submitted system shall be designed to avoid any increase in flood risk, demonstrate that the scheme will avoid any adverse impact on water quality / controlled waters, achieve a reduction in the run-off rate in accordance with the Ashford Borough Council Sustainable Drainage SPD document, adopted October 2010, promote biodiversity, enhance the landscape, improve public amenities, return the water to the natural drainage system as near to the source as possible and operate both during construction of the development and post-completion. The submitted details shall include identification of the proposed discharge points from the system, a timetable for provision of the system and arrangements for future maintenance (in particular the type and frequency of maintenance and responsibility for maintenance). The approved system shall be provided in accordance with the approved timetable.

The approved system shall be maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use. If the proposed surface water discharge point is to be the existing public sewer the applicant must provide written confirmation from Southern Water of their agreement to the proposals.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Policy ENV9 of the Local Plan.

- 6 Details of the measures proposed to prevent the discharge of surface water onto the highway shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and maintained thereafter in accordance with the approved details.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, and to protect highway safety.

- 7 The approved development shall be carried out in such a manner as to avoid damage to the existing trees adjacent to the application site, including their root systems, and other planting to be retained by observing the following:

(a) All trees to be preserved shall be marked on site / immediately adjacent to the site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) and in accordance with a Tree Protection Plan and Arboricultural Method Statement to be submitted to and approved in writing by the Local Planning Authority before work

commences. The approved tree protection measures shall then be implemented before commencement of any works on site and shall remain throughout the period of construction;

(b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;

(c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;

(d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation, except as may be otherwise agreed in writing by the Local Planning Authority;

(e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority; and

(f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy ENV1 of the Local Plan.

- 8 Development works shall not in any circumstances commence unless the Local Planning Authority has been provided with a District Level Licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations 2018 authorising the development to go ahead.

Reason: To avoid adverse impacts on the local population of great crested newts during construction and to comply with the relevant legal requirements.

- 9 Prior to commencement of development, the applicant, or their agents or successors in title, will secure the implementation of a phased programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- 10 Prior to any construction and demolition works on site a detailed bat mitigation strategy must be submitted to and approved in writing by the Local Planning Authority. The said strategy shall include evidence of a bat mitigation license having been granted, and should also provide details of the single bat loft and five integrated bat tubes/bricks to be located within the new dwellings, as advanced by the applicant in the submission. The approved mitigation measures must be carried out as detailed unless subsequently amended by a Natural England EPS licence. On completion of the mitigation and before first occupation of the dwellings hereby approved, a letter must be submitted to the Local Planning Authority demonstrating that the mitigation has been completed. The ecological mitigation / enhancements shall be thereafter retained.

Reason: To protect bat populations on site and to improve ecological habitat on site.

- 11 Prior to above ground works taking place, details (including source/manufacturer and colour) and samples (where required) of all materials to be used on the external surfaces of the buildings, including but not limited to brick, tiles and cladding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved and retained for the lifetime of the development.

Reason: In the interests of the visual amenity of the locality.

- 12 Prior to the development hereby approved proceeding beyond slab level, full details of any hard and soft landscape works (including full tree pit details) shall have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. All planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants whether new or retained which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

- 13 Reporting of Unexpected Contamination

Part 1

If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2.

Part 2

Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of 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.

- 14 Prior to above ground works taking place, details for the disposal of sewage for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details before any part of the development is first occupied.

Reason: To avoid pollution of the surrounding area.

- 15 Prior to occupation a lighting design strategy for biodiversity shall be submitted to and approved in writing by the LPA. The strategy shall:

- a) Identify those areas / features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, e.g., for foraging.
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior to consent from the Local Planning Authority.

Reason: In the interests of visual amenity and to avoid adverse impacts on bats following the occupation and use of the new homes.

- 16 The areas shown on the drawing number 22_109_04 Rev A as vehicle parking spaces and turning and manoeuvring areas shall be provided, before the dwelling(s) are occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to the reserved parking spaces and manoeuvring spaces.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

- 17 Prior to the first occupation of the dwellings hereby approved, details of the bicycle storage facilities showing covered and secure spaces shall have been submitted to and approved in writing by the Local Planning Authority. The approved bicycle storage shall be completed prior to occupation of the development and shall thereafter be retained.

Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety.

- 18 Prior to the first occupation of the dwellings, each dwelling shall be provided with at least 1 electric vehicle charger point per dwelling. Electric vehicle charger points shall be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). The charging point shall thereafter be retained available, in a working order for the charging of electric vehicles. Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>.

Reason: To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles in accordance with Local Plan policy ENV12.

- 19 Prior to the development hereby approved proceeding beyond slab level, details of ecological enhancement measures within the site (including bat / bird boxes, hedgehog nests and native species planting) shall have been submitted to and approved in writing by the Local Planning Authority and the details shall be carried out as approved prior to occupation of the dwellings and thereafter retained.

Reason: To enhance biodiversity and the ecological value of the site and surrounding area.

- 20 Prior to the first occupation of the dwellings hereby approved, details of the refuse storage and collection facilities showing covered / secure spaces, and details of how the refuse collection will be managed shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage and collection facilities shall be completed prior to occupation of the development and shall thereafter be retained and managed in accordance with the approved details.

Reason: To ensure the provision and retention of adequate refuse storage provision in the interests of the amenities of the locality.

- 21 The dwellings hereby permitted shall not be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development 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 as constructed is compliant with the National Planning Policy Framework.

- 22 The dwellings hereby approved shall not be occupied, until they have been constructed and fitted out to ensure that the potential consumption of wholesome water by persons occupying the dwelling(s) will not exceed 110 litres per person per day, as measured in accordance with a methodology approved by the Secretary of State, and a copy of the Notice required by the Building Regulations 2010 (as amended) confirming this, shall be submitted to the Local Planning Authority.

Reason: In order to set a higher limit on the consumption of water by occupiers as allowed by the Building Regulations 2010 (as amended) and increase the sustainability of the development and minimise the use of natural resources pursuant to policy ENV7 of the Ashford Local plan 2030 and guidance in the NPPF.

- 23 Prior to occupation, evidence that 20% of new homes hereby approved will meet the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended) shall be submitted to and be approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure inclusive and accessible design and to meet the changing needs of households.

- 24 Prior to the first occupation of unit 4, the first floor west facing hallway / landing windows, shall be fitted with obscured glass (privacy level/grade 3 or higher) and shall be non-opening up to a minimum height of 1.7 m above the internal finished floor level and

maintained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of the future occupiers of the neighbouring properties.

- 25 Prior to the first occupation of unit 3, the first floor north facing en-suite bathroom window, shall be fitted with obscured glass (privacy level/grade 3 or higher) and shall be non-opening up to a minimum height of 1.7 m above the internal finished floor level and maintained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of the future occupiers of the neighbouring properties.

- 26 Prior to the first occupation of unit 2, the first floor north facing bathroom window and the first floor east facing hallway / landing windows shall be fitted with obscured glass (privacy level/grade 3 or higher) and shall be non-opening up to a minimum height of 1.7 m above the internal finished floor level and maintained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of the future occupiers of the neighbouring properties.

- 27 The car barn/car ports hereby permitted shall remain open to the front elevation and no means of enclosure or doors shall be erected / inserted without the prior approval of the local planning authority in writing.

Reason: To ensure that the covered space is retained available for the parking/storage of a vehicle when not in use in order ensure the provision and retention of adequate off-street parking facilities and to prevent the displacement of car parking and subsequent inappropriate car parking on the public highway.

- 28 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwelling hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

Reason: To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development and to protect the amenities of future occupiers of the development.

- 29 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Classes A, AA, B, C, D and E of Part 1 of Schedule 2 of that Order and Class A of Part 2 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order).

Reason: In the interests of enhancing the immediate setting in accordance with HOU5 and reduce potential harm to neighbouring residential occupiers.

Informatives:

Working with the applicant

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In accordance with paragraph 38 of the NPPF, Ashford Borough Council (ABC) takes a

positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application,
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance the applicant/agent was updated of any issues after the initial site visit, and the applicant/agent responded by submitting amended plans, which were found to be acceptable and permission was granted. The application was dealt with/approved without delay.

- The applicant is reminded of the need for the development to satisfy the requirements of the Building Regulations and in respect of climate change in particular the following documents:

- Approved Document L (Conservation of fuel and power),
- Approved Document F (Ventilation),
- Approved Document O (Overheating),
- Approved Document S (Infrastructure for electric charging vehicles).

KCC Highways & Transportation Informative(s)

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Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil. Works on private land may also affect the public highway.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site. Guidance for applicants, including information about how to clarify the highway boundary and links to

application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:
<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highwayspermissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority,
- (b) the Biodiversity Gain Plan to be submitted to the local planning authority for approvals is prepared in general conformity with the approved habitat plans, and
- (c) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be Ashford Borough Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply and these are set out in The Biodiversity Gain Requirements Exemptions Regulations 2024.

This permission will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

For a template and guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the approved development please follow the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan)

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Signed



Simon Cole

Assistant Director - Planning and Development

Important Notes

1 Limitation of Permission

This decision is for planning purposes only and for no other purpose including Building Regulations. Separate approval may be required for these works.

Advice is available from the Building Control Section - 01233 330282 Email building.control@ashford.gov.uk

Where plans for the erection or extension of a building are submitted for Building Regulations approval, Section 53 of the County of Kent Act 1981 requires that the Plans are rejected unless they show;

- a. adequate means of access for the Fire Brigade to the building or buildings as extended and;
- b. that the building and extension will not render inadequate, existing means of access for the Fire Brigade to a neighbouring building.

The Fire Prevention Officer can be contacted at Ashford Fire Station Henwood, Ashford, Kent TN24 8YF

This grant of planning permission does not give any legal right to carry out the development on, over or under the land of another person or contrary to the rights of any such person. If there is any doubt the applicant should seek his/her own independent legal advice before implementing the planning permission. Your attention is also drawn to the Party Walls Act

2 Appeals to the Secretary of State

If you are unhappy with the disclosed Decision to grant permission subject to conditions, you may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Details of how to appeal can be obtained from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or via their website at <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

3 Beneficial Use

If permission to develop land is granted subject to conditions, whether by the Borough Council or by the Secretary of State and you, as owner of the land, claim that it has become incapable of reasonable beneficial use, you may serve on the Borough Council a Purchase Notice requiring the Borough Council to purchase your interest in the land in accordance with the provision of Part IV of the Town and Country Planning Act 1990.

Before following this course of action it is suggested that you seek the advice of a Planning Consultant or a Solicitor.

4 Discharging of Conditions

Some conditions attached to the grant of permission may require you to submit details and/or information before you start work. The necessary forms can be found on the

Council's website. Please note that we aim to deal with these requests within 8 weeks.

There is a fee for 'Approval of details reserved by a condition'. These fees are set by Government and the current level can be found at

<https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>