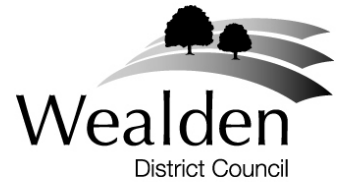


Town and Country Planning Act 1990

Notice of Decision
Application No. **WD/2017/2419/F**



Hobbs Parker Property Consultants
Romney House
Monument Way
Orbital Park
Ashford
Kent
TN24 0HB

Council Offices
Vicarage Lane
Hailsham
East Sussex
BN27 2AX

DESCRIPTION AND LOCATION OF DEVELOPMENT

RESIDENTIAL DEVELOPMENT COMPRISING NINE DWELLINGS AND ASSOCIATED WORKS.

LAND TO SOUTH OF THE KING'S HEAD PUBLIC HOUSE AND EAST OF THE RECREATION GROUND, LOWER HORSEBRIDGE, HAILSHAM, BN27 4DH

With reference to the proposals set out in the application numbered as above and shown on the plans submitted therewith, Wealden District Council, in pursuance of powers under the Town and Country Planning Act 1990 (as amended), hereby **GRANTS PLANNING PERMISSION** for the said proposals, subject to the conditions stated below imposed for the reasons stated thereunder:-

1. The development to which this permission relates shall be begun not later than the expiration of one year beginning with the date on which this permission is granted.
STD4A

REASON: To meet the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to commencement of any works, the new access(es) shall be in the position shown on the submitted plan and laid out and constructed in accordance with the requirements and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority.

REASON: In order to provide visibility for vehicles entering and leaving the site, and in the interests of and for the safety of persons and vehicles using the development and the adjoining road and footpath having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy TR3 of the adopted Wealden Local Plan 1998, coupled with the requirements of the National Planning Policy Framework 2021.

3. The access shall not be used until visibility splays measuring 2.4m x 90m areas as shown on the submitted plan are cleared of all obstructions exceeding 600 mm in height and kept clear thereafter. HW16A

REASON: In order to provide visibility for vehicles entering and leaving the site in the interests of and for the safety of persons and vehicles using the development and the adjoining road having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy TR3 of the adopted Wealden Local Plan 1998, coupled with the requirements of the National Planning Policy Framework 2021.

4. Prior to any above ground works, a detailed technically accepted highway scheme (showing the layout of the pedestrian access, pedestrian crossing facilities, and footpath fronting the site, as shown on plans hereby approved), shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. Those details shall include a licence for such works obtained from the local highway authority. The access, footpath and the crossing point shall thereafter be constructed in accordance with the approved details prior to the first occupation of the development hereby permitted, and shall be maintained and made available for the intended purposes thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the highway safety of the site and ensure adequate safe access for pedestrians and adjoining road and access users, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy TR3 of the adopted Wealden Local Plan 1998, coupled with the requirements of the National Planning Policy Framework 2021.

5. The development shall not be occupied until parking areas have been provided in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles. PC01A

REASON: To ensure an adequate and satisfactory standard of parking provision, having regard to SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policies EN27 and TR16 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraphs 104 and 110 of the National Planning Policy Framework 2021.

6. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles. PC03A

REASON: To provide for alternative modes of transport, having regard to SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy TR11 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraphs 104 and 110 of the National Planning Policy Framework 2021.

7. The development shall not be occupied until a turning space for vehicles has been provided and constructed in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the turning space shall thereafter be retained for that use and shall not be used for any other purpose. PC09A

REASON: In the interests of and for the safety of persons and vehicles using the premises and/or the adjoining road and in order to secure a satisfactory standard of development, having regard to SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policies EN27, TR3 and TR16 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraphs 104 and 110 of the National Planning Policy Framework 2021.

8. The new estate road shall be constructed to a standard approved by the Local Planning Authority with a view to subsequent adoption as a maintainable highway and the works phased with the progress of building construction to the approval of the Local Planning Authority. HW05

REASON: In the interests of and for the safety of persons and vehicles using the premises and/or the adjoining road, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy TR3 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraphs 109 and 110 of the National Planning Policy Framework 2021.

9. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority. HW02A

REASON: In the interests of and for the safety of persons and vehicles using the premises and/or the adjoining road, To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy TR3 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraphs 109 and 110 of the National Planning Policy Framework 2021.

10. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- The anticipated number, frequency and types of vehicles used during construction.
- The method of access and egress and routeing of vehicles during construction.
- The parking of vehicles by site operatives and visitors.
- The loading and unloading of plant, materials and waste.
- The storage of plant and materials used in construction of the development.
- The erection and maintenance of security hoarding.
- The provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders).
- Details of public engagement both prior to and during construction works.

REASON: To protect residential amenity and in the interests of highway safety, having regard to Saved Policies EN27 and TR3 of the Wealden Local Plan 1998, coupled with the requirements of the National Planning Policy Framework, 2021.

11. Detailed drainage surface water drainage system shall be submitted to approved in writing by the Local Planning Authority, prior to commencement of any above ground works. The surface water drainage system shall incorporate the following:
- a. Detailed drawings and hydraulic calculations. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to a rate agreed to with East Sussex Highways without increasing flood risk. Evidence of ESH's agreement to the discharge rate and connection shall be submitted with the

detailed design. An allowance for urban creep (recommended 10% increase in impermeable area) shall be incorporated within the calculations.

- b. Details of the permeable pavement and how it interacts with the proposed services shall be provided. This shall include cross-sections and long-sections which clearly show the vertical clearance between the permeable pavement and the services especially the foul drainage and the groundwater relief channel. Details of measures which will be taken to preserve the integrity of the permeable pavement throughout the lifetime of the development shall be included.
- c. The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely. The detailed design of the existing pond to provide surface water storage volume above the normal water level should be provided.
- d. The detailed design of the surface water drainage network shall be informed by findings of groundwater monitoring between autumn and spring. The details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided. This shall also include an assessment into the effectiveness of the proposed measures and the potential impact on flood risk.

REASON: In order to secure a satisfactory standard of development, having regard to SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy CS2 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraph 163 of the National Planning Policy Framework 2021.

12. Details for the long term maintenance and management plan for the entire drainage system shall be submitted to the planning authority before any above ground construction commences, to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:
 - a. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.
 - b. Evidence of how these responsibility arrangements will remain in place throughout the lifetime of the development.
 - c. Evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs, prior to occupation.

These details shall be implemented and approved in writing by the Local Planning Authority, prior to occupation of the development, and shall thereafter remain in place for the lifetime of the development.

REASON: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy CS2 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraph 163 of the National Planning Policy Framework 2021.

13. Before preparation of ground levels of the development approved by this permission shall be commenced until full details of the proposed means of foul drainage disposal have been submitted to and approved in writing by the Local Planning Authority. The approved drainage works shall be completed prior to the completion or occupation of any dwelling on site, whichever is the sooner. DF01

REASON: In order to secure a satisfactory standard of development, having regard to SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and Saved Policy CS2 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraph 163 of the National Planning Policy Framework 2021.

14. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (dated August 2016) and FRA Addendum dated January 2021 and the following mitigation measures detailed within the addendum:

- Finished floor levels are set no lower than 18.45 m above Ordnance Datum (AOD), as referenced in section 3 of the Addendum.
- As represented within appendix G of the FRA, all dwellings must be located within Flood Zone 1.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

REASON: To prevent the increased risk of flooding, having regard to SPO2, SPO10, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy CS2 of the adopted Wealden Local Plan 1998, coupled with the requirements of the National Planning Policy Framework 2021.

15. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
AR01

REASON: To enable the recording of any items of historical or archaeological interest, in accordance with the requirements of SPO2, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, coupled with the requirements of the National Planning Policy Framework 2021.

16. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [15] to the satisfaction of the Local Planning Authority, in consultation with the County Planning Authority. AR04A

REASON: To ensure that the archaeological and historical interest of the site is safeguarded and recorded, in accordance with the requirements of SPO2, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, coupled with the requirements of the National Planning Policy Framework 2021.

17. Prior to works below ground level an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;

- (ii) An assessment of the potential risks to:
- Human health
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes.
 - Adjoining land
 - Groundwaters and surface waters
 - . Ecological systems
 - Archaeological sites and ancient monuments;
- (iii) An appraisal of remedial options and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's "Land Contamination Risk Management (LCRM)" web pages
<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.
CL01

REASON: 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 off-site receptors, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and the requirements of the National Planning Policy Framework 2021.

18. Prior to works below ground level a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme 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 will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. CL02

REASON: 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 off-site receptors, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and the requirements of the National Planning Policy Framework 2021.

19. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks' written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
CL03

REASON: 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 off-site receptors, having regard to SPO2, SPO12, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013 and the requirements of paragraph 170 of the National Planning Policy Framework 2021.

20. No trees and/or hedgerows on the site, unless dead or dangerous, shall be felled, reduced, pruned or destroyed without the consent in writing of the Local Planning Authority. Furthermore, the following work shall not be carried out within the approved protection zone of any tree or hedgerow, except with the consent of the Local Planning Authority:-
- (i) Levels shall not be raised or lowered in relation to the existing ground level within the approved protection zone of the tree or hedgerow.
 - (ii) No roots shall be cut, trenches dug or soil removed within the approved protection zone of the tree or hedgerow.
 - (iii) No buildings, roads or other engineering operations shall be constructed or carried out within the approved protection zone of the tree or hedgerow.
 - (iv) No fires shall be lit within the approved protection zone or in a position where the flames could extend to within 5 metres of the foliage, branches or trunk of the tree or hedgerow as per the requirements of BS5837:2012 Trees in relation to design, demolition & construction - Recommendations.
 - (v) No vehicles shall be driven over the area within the approved protection zone of the tree or hedgerow.
 - (vi) No materials or equipment shall be stored within the approved protection zone of the tree or hedgerow as per the requirements of British Standard 5837:2009 'Trees in Relation to Construction'. TP02

REASON: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area, having regard to SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policies EN12 and EN14 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraphs 127, 170 and 175 of the National Planning Policy Framework 2021 and the Wealden Design Guide, Chapter 3, Section 6.

21. Before construction above ground level of any dwelling, or ancillary building, which forms part of the development hereby approved, a schedule detailing brick bonding(s) where appropriate and samples of materials and finishes to be used on the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development. A sample panel(s) of brickwork of not less than 1m x 1m showing mortar mix, bonding and pointing type shall be constructed for the Local Planning Authority to inspect and approve and shall be retained on site until completion of the works, and the brickwork shall be constructed in accordance with the approved panel(s). MA06(M)

REASON: To safeguard the appearance of the premises and the character of the area generally and to enable the Local Planning Authority to properly consider and control the development, having regard to SPO2, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy EN27 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraph 127 of the National Planning Policy Framework 2021.

22. Before preparation of any groundworks and foundations on site for the development hereby approved, a scheme of landscape proposals shall be submitted to and approved in writing by the Local Planning Authority, which shall include full plans and specifications for all hard and soft landscape works and indications of all existing trees and hedgerows on the land, including those to be retained together with measures for their protection in the course of the development.

All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development 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. All hard landscaping comprised in the approved details of landscaping shall be carried out before the completion or first occupation of the development, whichever is the sooner. LA01

REASON: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SPO2, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policies EN14 and EN27 of the Wealden Local Plan 1998, coupled with the requirements of paragraphs 127 and 170 of the National Planning Policy Framework 2021.

23. Before preparation of any groundworks and foundations on site for the development hereby approved, full details of hard landscape works for the development, which shall include details of all fencing, walling and other boundary treatments, steps, retaining walls and surface finishes shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented following the substantial completion of the development or final occupation of the dwellings, whichever is the sooner, and thereafter retained. LA06(M)

REASON: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to SPO2, SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policies EN14 and EN27 of the Wealden Local Plan 1998, coupled with the requirements of paragraphs 127 and 170 of the National Planning Policy Framework 2021.

24. Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure and no building as defined in Section 336 of the Town and Country Planning Act 1990 shall be erected at the site. PD04

REASON: To enable the Local Planning Authority to regulate and control the development of land having regard to SPO13 and WCS14 to the Wealden Core Strategy Local Plan 2013, Saved Policy EN27 of the adopted Wealden Local Plan 1998, coupled with the requirements of paragraph 127 of the National Planning Policy Framework 2021.

25. This planning decision relates solely to the information contained within the application form, the following plan(s) and (where appropriate) documents:

Ref.	Date Stamped.
Site Location Plan dwg 2774-10 Rev B	STN4 13 October 2017
Tree Protection Plan dwg 3936_DR_007	13 October 2017
Tree Survey Plan dwg 3936_DR_003	13 October 2017
Tree Survey Plan dwg 3936_DR_004	13 October 2017
Proposed Site Plan 2774-SK07-03-19 Rev A	29 November 2019
75M X 2.4M Visibility Splays from Site Access	

dwg 38632/5501/004 Rev E	20 August 2020
Large Refuse Vehicle Swept Path Analysis	
dwg 38632/5501/005 Rev E	20 August 2020
90M X 2.4M Visibility Splays from Site Access	
dwg 38632/5501/007 Rev B	20 August 2020
Large Refuse Vehicle Swept Path Analysis	
dwg 38632/5501/006 Rev D	20 August 2020
Proposed Ground Floor Plans dwg 2774-14 Rev F	14 January 2021
Proposed Ground Floor Plans dwg 2774-15 Rev F	14 January 2021
Proposed First Floor Plans dwg 2774-16 Rev D	14 January 2021
Proposed First Floor Plans dwg 2774-17 Rev D	14 January 2021
Planting Plan dwg 0003 Rev P03	14 January 2021
Site Sectional Elevations 5 & 6 dwg 2774-20 Rev B	14 January 2021
Hard Landscape Plan dwg 0002 Rev P02	14 January 2021
Landscape Masterplan dwg 0001-S2-P01 Rev P02	14 January 2021
Site Sectional Elevations 1 & 2 dwg 2774-18 Rev C	14 January 2021
Proposed Site Plan – Roof Plan 2774-11 Rev E	14 January 2021
Site Sectional Elevations 3 & 4 dwg 2774-19 Rev C	14 January 2021
Site Sectional Elevations 7 & 8 dwg 2774-21 Rev A	14 January 2021
Proposed Parking Strategy Plan dwg 2774-12 Rev D	14 January 2021
Site Sectional Elevations 9 & 10 dwg 2774-22 Rev D	14 January 2021
Drainage Strategy dwg 10273/1101 Rev P06	14 January 2021
Proposed Refuse Strategy Plan dwg 2774-13 Rev D	14 January 2021
Road Safety Audit Stage 1	13 October 2017
Arboricultural Impact Assessment	13 October 2017
Transport Statement	13 October 2017
Written Scheme of Investigation for Archaeological Evaluation	13 October 2017
Archaeological Evaluation Report	13 October 2017
Flood Risk Assessment	1 May 2020
Addendum to Flood Risk Assessment	14 January 2021

REASON: For the avoidance of doubt.

The Local Planning Authority's reasons for its decision to grant planning permission are set out in the officer's report which can be viewed on the Council's website at www.planning.wealden.gov.uk

NOTE: Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations or Section 73 of the Act for minor material alterations. An application must be made using the standard application forms and you should consult with us, to establish the correct type of application to be made.

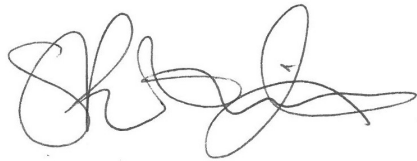
NOTE 1: East Sussex County Council local highway authority requirements associated with this development proposal will need to be secured through a Section (106/184/171/278) Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Control Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

NOTE 2: The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning consent for a development does not provide a defence against prosecution under European and UK wildlife protection legislation. You are advised that it may be necessary, shortly before development commences, for the applicant to commission an ecological survey from suitably qualified and experienced professionals to determine the presence or otherwise of such protected species. If protected species are found to be present, Natural England should be consulted. NCN2

NOTE: Your attention is drawn to the requirements of the Building Act 1984 for the deposit of Plans under the Building Regulations and associated legislation.
ACCESS FOR FIRE BRIGADE: Your attention is hereby drawn to the provisions of Section 35 of the East Sussex Act 1981.

DISCHARGE OF CONDITIONS: It is advised that under The Town and Country Planning Act 1990, the Council has up to 8 weeks from the date of an application to discharge any condition(s) and advise the applicant of the Council's decision. This information should be submitted using the '[Approval of Details Reserved by Condition' Form](#) which can be downloaded from the Council's website. Please note there is also a fee payable for this type of application.

IMPORTANT: See Notes overleaf
DATE OF ISSUE: 1 February 2022

A handwritten signature in black ink, appearing to read 'Stacey Robins', with a stylized, cursive script.

Stacey Robins
Head of Planning & Environmental Services

Application No. WD/2017/2419/F

NOTES

Appeals to the Secretary of State

- If the Applicant is aggrieved by the decision of the Local Planning Authority (LPA) to refuse permission for the proposed development or to grant it subject to conditions, then an appeal may be lodged with The Planning Inspectorate (PINS) under Section 78 of the Town and Country Planning Act 1990.
- Appeals must be made on a form which is obtainable from:
The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN
Tel. No. 0303 444 5000
www.gov.uk/appeal-planning-inspectorate

Appeal Timescales

- Householder planning application or minor commercial application:

12 weeks from the date on the decision notice

However, if an enforcement notice has been served for the same or very similar development the time limit is:

- **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 12 weeks).

NB – if the LPA have failed to determine the householder planning application, or for an appeal against the grant of permission subject to conditions, please follow the time limits under “Planning application” below.

- Planning application:

6 months from the date on the decision notice, or

6 months from the expiry of the period which the LPA had to determine the application.

However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

NB – the LPA determination period is usually 8 weeks (13 weeks for major developments and 28 days for non-material amendment applications). If a longer period has been agreed with the LPA, the time limit runs from that date.

Further information

- The Planning Inspectorate has discretionary power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice to appeal.
- The Planning Inspectorate is not required to entertain an appeal if it appears 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.
- The Planning Inspectorate does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction issued by the Secretary of State.

Purchase Notices

- If either the LPA or Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the land has become incapable of reasonably beneficial use in its existing state nor rendered 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. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.