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High Peak Borough Council

working for our community

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Centrica Business Solutions
Millstream
Maidenhead Road
Windsor
SL4 5GD

Application no: HPK/2023/0442

Determined on: 10th March 2025

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990 (as amended).

Location of Development:

Carpenter Plc Dinting Lodge Industrial Estate Dinting Glossop Derbyshire SK13 6LE

Description of Development:

Proposed solar array, supporting energy infrastructure and associated site works incorporating, access, security fencing and landscape planting.

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

Time Limits

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (as amended).

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Figure 2 Location Plan Scale 1:5000
 - Proposed Site Plan (Proposed Solar Arrays) ref. 48268-CBS-SW-XX-DR-E-4203 Rev P4





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Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. The Local Planning Authority shall be given at least seven days prior written notification of the date of commencement of the development.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

4. The Local Planning Authority shall be given at least seven days prior written notification of the date of first export of electricity from the approved development.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

5. The development hereby permitted shall cease on or before the expiry of a 40-year period from the date of first export of electricity from the approved development.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

Site Restoration

6. A scheme for the restoration of the site, including the dismantling and removal of all elements relating to the scheme shall be submitted to and be approved in writing by the Local Planning Authority not later than 40 years from the date of first export of electricity. The approved restoration scheme shall be carried out and completed within 6 months from the date that the planning permission hereby granted expires.

7. In the event that the site does not export electricity for a continuous period of 12 months after the date of first export from the approved development, a scheme of early decommissioning works ("the Early Decommissioning Scheme") and ecological assessment report detailing site requirements in respect of retaining ecological features ("the Early Ecological Assessment Report") shall be submitted no later than 3 months after the end of the 12 month non-electricity generating period to the Local Planning Authority for its approval in writing. The approved Early Decommissioning Scheme and the Early Ecological Assessment Report shall be implemented in full in accordance with a timetable that shall be set out in the early decommissioning scheme.

Reasons (6 & 7):- The use and associated structures cause some harm to the character and appearance of the area as well as nature conservation matters. The use and associated structures should therefore be removed as soon as possible if the solar array development is no longer required to comply with Policies S1, EQ2, EQ5, EQ6 and EQ9 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

Export Limit

8. The export capacity of the development shall not exceed 49.9 MW (AC).

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.





Scale and Appearance

9. Prior to their erection on site, details of the proposed solar panels, frames, inverters, transformer and equipment, together with their materials, finish and colour shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full accordance with the approved details and maintained as such for the lifetime of the development hereby permitted.

Reason:- In the interests of visual amenity to comply with Policies S1, EQ2, EQ6 and EQ9 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

Lighting

10. There shall be no permanent illumination on the site and / or Local Wildlife Site (LWS) within the blue land (Figure 2 Location Plan Scale 1:5000) unless otherwise agreed in writing by the Local Planning Authority. In such circumstances, prior to the erection of any external lighting on the site and / or LWS within the blue land, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in full accordance with the approved details and thereafter retained for the lifetime of the development hereby permitted.

Reason:- In the interests of visual amenity and in the interests of nature conservation to comply with Policies S1, EQ2, EQ5 and EQ6 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

Ecology & Landscaping

11. No development hereby permitted shall be commenced until a comprehensive landscaping scheme in accordance with the principles established by Landscape Masterplan Rev C drawing ref. 312614-ADW01-Final rev C - ILMP (received 10th February 2025) including the proposed landscape treatment for the various ecological areas and structural landscape buffer strips for the site and blue land (Figure 2 Location Plan Scale 1:5000) to achieve a Biodiversity Net Gain (BNG) of no less than 10% has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of all new trees, shrubs and any other planting, giving specification for species, positions, planting sizes and numbers / densities of all new planting, together with any proposals for hard surfacing. The scheme shall be implemented in full accordance with the approved details within the first available planting season from the date of first export of electricity from the approved development hereby permitted. Any trees or plants which within a period of ten years as specified by the Landscape and Ecological Management Plan (LEMP) in Condition 12 below; die, are removed, or become seriously damaged or diseased shall be replaced in the next available planting season with others of a similar size and species.

Reason:- In the interests of visual amenity and in the interests of nature conservation to comply with Policies S1, EQ2, EQ5, EQ6 and EQ9 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

12. No development hereby permitted shall be commenced until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local





Planning Authority. The LEMP shall be prepared in accordance with the principles established by the Illustrative Landscape Masterplan Rev C drawing ref. 312614-ADW01-Final rev C - ILMP (received 10th February 2025) including the detailed landscape treatment for the various ecological areas and structural landscape buffer strips for the site and blue land (Figure 2 Location Plan Scale 1:5000). The scheme shall include:-

- a) Full details of all new trees, shrubs and any other planting, giving specification for species, positions, planting sizes and numbers / densities of all new planting;
- b) Full details of the proposed creation, maintenance, management and development, including timescales and delivery mechanisms for all landscaping / wildlife habitats and associated structures / features within the various ecological areas and structural landscape buffer strips to achieve a Biodiversity Net Gain (BNG) of no less than 10%;
- c) Full and accurate locations of existing and proposed new habitats; technical specifications, timescales and phasing for the creation of new habitats; 10-year establishment and aftercare management prescriptions for newly created habitats and a 40-year maintenance plan overall, and,
- d) Management operations for all habitats throughout the site shall be monitored and reviewed every 5 years during the development operational period.

The approved LEMP shall be implemented in full before the end of the first planting season following the date when electrical power from the development is first exported.

Reason:- In the interests of visual amenity and in the interests of nature conservation to comply with Policies EQ2, EQ5, EQ6 and EQ9 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

13. Notwithstanding any description of boundary treatment / enclosure within the application details and / or approved plans, no development hereby approved shall be commenced until a comprehensive scheme for boundary treatment within the site and blue land (Figure 2 Location Plan Scale 1:5000), incorporating mammal pass-throughs (i.e. badger gates) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full accordance with the approved details prior to the date of first export of electricity from the development hereby permitted and thereafter retained for the lifetime of the development.

Reason:- In the interests of nature conservation to comply with Policies S1, EQ5 and EQ6 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

Construction (Biodiversity)

14. No development hereby permitted shall be commenced (including any ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP) (Biodiversity) for the site and blue land (Figure 2 Location Plan Scale 1:5000) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall be produced by a qualified ecologist and include the following:
 - a) Risk assessment of potentially damaging construction activities, including cabling works;
 - b) Identification of “biodiversity protection zones”;



- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction to badgers, common amphibians, reptiles, nesting birds and other wildlife;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, and,
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period.

Reason:- In the interests of nature conservation to comply with Policies S1, EQ5 and EQ6 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

15. Prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved, a scheme for the protection and retention of the retained landscape features shall be first submitted to and approved in writing with the Local Planning Authority. The approved scheme shall be adhered to and implemented throughout the construction period.

Reason:- In the interests of visual amenity and in the interests of nature conservation to comply with Policies EQ2, EQ5, EQ6 and EQ9 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

Construction

16. No development hereby permitted shall be commenced (including any ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environment Management Plan (CEMP) (Construction) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Construction) shall include the following:

- a) Details of measures to protect the public footpaths and amenity of users of the public footpaths, together with pedestrian and cycle protection during the construction works and temporary traffic restrictions;
- b) Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- c) Advisory routes for construction traffic;
- d) Access for emergency service vehicles, both during the demolition and construction phases;
- e) Locations for loading / unloading and storage of plant, waste and construction materials and construction compound;
- f) Arrangements for turning vehicles;
- g) Arrangements to receive abnormal loads or unusually large vehicles;
- h) Highway condition survey;
- i) Method of preventing mud and dust being carried onto the highway;



- j) Methods of communicating the CEMP (Construction) to staff, visitors, neighbouring residents, businesses and Derbyshire Fire and Rescue Authority;
- k) Scheme to minimise dust emissions arising from construction activities on the site, including details of all dust suppression and mitigation measures;

In addition:

- j) All noise-generating activities (a noise-generating activity is defined as any activity (for instance, but not restricted to, building construction / demolition operations, refurbishing and landscaping which generates noise that is audible at the site boundary) shall not take place outside of the following periods:
 - 07:30 to 18:00 hours (Monday to Friday)
 - 08:30 to 14:00 hours (Saturday)
 - No working is permitted on Sundays or Bank Holidays
- l) No piling shall take place outside the hours 09:00 to 16:00 hours Mondays to Fridays, and,
- m) Internal combustion engines powering welfare units shall not be in operation between the hours 23:00 to 07:00.

The approved CEMP (Construction) shall be adhered to and implemented throughout the construction period.

Reason:- To ensure the site does not pose any risk to highway safety or the amenity and welfare of the general public in accordance with Policies S1, EQ6, EQ10 and CF6 of the Adopted Local Plan and the National Planning Policy Framework.

Temporary Access / Reinstatement

17. No development hereby permitted shall be commenced (including any ground works, vegetation clearance and movement of plant, machinery and materials), until details of the temporary access arrangements from Dinting Road, including temporary track and subsequent reinstatement works with landscaping in accordance with Conditions 11 and 12 above, together with details of timescales / phasing for implementation have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full accordance with the approved details including timescales / phasing of the development hereby permitted.

Reason:- To ensure the site does not pose any risk to highway safety or the amenity and welfare of the general public in accordance with Policies S1, EQ6, EQ10 and CF6 of the Adopted Local Plan and the National Planning Policy Framework. Furthermore, in the interests of visual amenity and in the interests of nature conservation to comply with Policies EQ2, EQ5, EQ6 and EQ9 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

Controlled Waters / Public Health & Wider Environment

18. No changes to existing site levels are permitted by the development hereby approved.

Reason:- To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with Policies S1 and EQ10 of the Adopted Local Plan and the National Planning Policy Framework.





19. No development hereby permitted shall be commenced (including any ground works, vegetation clearance and movement of plant, machinery and materials) until a remediation strategy to deal with the risks associated with the contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following components:

- a) Further detailed site investigation, based on the land contamination information already submitted shall be undertaken to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off-site,
- b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they would be undertaken, and,
- c) A verification plan providing details of the data to be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and thereafter identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy shall be implemented as approved and prior to the date of first export of electricity from the development hereby permitted.

Reason:- To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with Policies S1 and EQ10 of the Adopted Local Plan and the National Planning Policy Framework.

20. No development hereby permitted shall be commenced for any piling or any other foundation designs using penetrative methods until a site-specific piling risk assessment has been submitted to and approved in writing by the Local Planning Authority and prior to commencing any piling operations on the site. The Piling Risk Assessment shall accord with the following documents:

- Environment Agency (2001), Piling and Penetrative Ground, and
- Improvements on Land Affected by Land Contamination NC/99/73.

In addition:

- The effects of noise generation must also be considered and shall include noise mitigation measures consistent with best practical means, and,
- No piling shall take place outside the hours 09:00 to 16:00 hours Mondays to Fridays.

All works shall be carried out in accordance with the approved risk assessment during piling activities or other penetrative construction methods.

Reason:- To ensure that any proposed penetrative foundation solutions do not harm groundwater resources and to ensure amenity of neighbouring uses in accordance with Policies S1, EQ6 and EQ10 of the Adopted Local Plan and National Planning Policy Framework.

21. Prior to any part of the permitted development being brought into operational use and from the date of first export of electricity from the approved development, a verification report demonstrating the completion of works as set out in the approved remediation strategy, including the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of



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sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that all site remediation criteria have been met.

Reason:- To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with Policies S1 and EQ10 of the Adopted Local Plan and National Planning Policy Framework.

22. If during development, any contamination or evidence of likely contamination is identified, which has not previously been identified or considered, then the developer shall immediately cease work and submit to the Local Planning Authority a written scheme to identify and control such contamination. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA and appropriate remediation proposals, which shall be submitted to the Local Planning Authority without delay and prior to any works recommencing. The remediation scheme as subsequently approved in writing by the Local Planning Authority shall be implemented in full prior to the date of first export of electricity from the development hereby permitted.

Reason:- To ensure that the site does not pose any further risk to the health of the general public and the wider environment in accordance with Policies S1 and EQ10 of the Adopted Local Plan and National Planning Policy Framework.

Informative(s)

Proactive Working

1. The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and accord with the development plan. These were incorporated into the scheme and / or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements of Paragraph 38 of the National Planning Policy Framework.

Local Highway Authority

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Implementation team at development.implementation@derbyshire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- A Monitoring Fee





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- Approving the highway details
- Inspecting the highway works

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

There is a public right of way running through the site, the applicant will be required to contact the PROW team to arrange for an official diversion, if the applicant cannot guarantee the safety of the path users during the construction phase then they must apply to the PROW department at www.derbyshire.gov.uk/leisure/countryside/access/rights-of-way/faqs/frequently-asked-questions-faqs.aspx to arrange a temporary closure of the right of way for the duration of any works.

We advise you to seek your own independent legal advice on the use of the public right of way for vehicular traffic.

The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion.

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression, and promoting the Code.

The CMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

Environment Agency (Advice to applicant)

Model Procedures and good practice





This development site appears to have been the subject of past industrial activity which may pose a risk of pollution to controlled waters. We recommend that you should:

Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management (LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by Contamination

- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution.
- treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- The position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK



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Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Piling and Penetrative ground improvement methods:

Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Environment Agency Position: Regulated Industry

The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb_3530-waste-hierarchy-guidance.pdf

Site Waste Management Plans (SWMP) are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice.

Where a development involves any significant construction or related activities, we would recommend using a management and reporting system to minimise and track the fate of construction wastes, such as that set out in PAS402: 2013, or an appropriate equivalent assurance methodology. This should ensure that any waste contractors employed are suitably responsible in ensuring waste only goes to legitimate destinations.





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X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council





NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000.
2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Derbyshire County Council.
3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
 - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.
4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.
5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
 - (b) Variation to the approved plans will require the submission of a new planning application.
6. If you are aggrieved by the decision of your local planning authority 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.
7. If the decision to refuse planning permission is for a householder application, and



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you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. 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 or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. 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. 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.

8. 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 Council (District Council, London Borough Council or Common Council of the City of London) 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.

