

BDW Trading Ltd
C/O Agent



High Peak Borough Council

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Mr John Coxon
Emery Planning Partnership
Hobson Street
Macclesfield
Cheshire
SK11 8BS

BDW Trading Ltd
C/O Agent

Application no: HPK/2022/0495

Determined on: 13th May 2026

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

GRANT OF OUTLINE PLANNING PERMISSION

S.73 VARIATION OF HPK/2017/0694

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.

Location of Development:

Land off Linglongs Road, Whaley Bridge, Derbyshire

Description of Development:

Variation of conditions 04 and 24 in relation to HPK/2017/0694

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

1. The development hereby permitted shall only be carried out in accordance with reserved matters approval submitted pursuant to ref. HPK/2023/0323 dated 13th May 2026.

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall only be carried out in general accordance with drawing reference 2013-030-100-01 Rev B (Location Plan) and 466/P/DF/01 Rev C (Development Framework Plan).

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

3. The development hereby permitted shall comprise of no more than 107 dwellings.

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

4. The development hereby permitted shall only be carried out in strict accordance with the approved phasing scheme as shown on plan references 466-ED-CMS1 Plan 1 Rev C (Construction Method Statement) with the exception of plan ref. 466/ED/CMS2 Rev C as superseded by Site Execution Plan ref. 466-ED-76 Rev J and in general accordance with the details as set out on the Development Framework Plan ref. 466/P/DF/01 Rev C. In particular, the layout shall provide for the retention of the existing trees on the site where this is justified.

Reason:- To secure the programming and phasing of, and an orderly pattern to the development, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

5. The development hereby permitted shall be carried out in strict accordance with the approved archaeological Written Scheme of Investigation (WSI) ref. 222020.01 dated May 2024 and Post-excavation Assessment and Updated Project Design ref. 222021.03 dated June 2024 whereby the site investigation and post investigation assessments shall be completed in accordance with the programme as set out in the archaeological WSI and the provision has been made for the analysis, publication and dissemination of results and archive deposition has been secured in accordance with the approved Post-excavation Assessment and Updated Project Design ref. 222021.03 dated June 2024 prior to any dwelling being brought into first use in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan).

Reason:- To enable the recording of any matters of archaeological / built heritage interest as the site is in an area of heritage significance or an area of archaeological potential, in accordance with the provisions of Policy EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

6. The development hereby permitted shall only be carried out in strict accordance with the details as provided within the approved mitigation scheme document ref. "Noise Assessment Report – July 2019 Version VO.2 by Wardell Armstrong" for protecting the future occupiers of the proposed dwellings from traffic borne noise. No dwelling shall be first occupied in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan) until the noise mitigation works to it have been fully completed in accordance with the approved scheme.

Reason:- In order to protect the amenities enjoyed by the occupants of the dwellings, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7. Before any operations are commenced (including site clearance), adequate space shall be provided within the application site for the storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives' and visitors' vehicles, which shall be laid out and constructed in accordance with the details as shown on the following approved document / drawing plan references:





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- 466-ED-CMS1 Rev C Plan 1
- 466-ED-CMS2 Rev E Plan 2
- 466/ED/CMS1 Rev C Plan 3
- Appendix B Compound Standard Details
- Appendix C - SWMP

The approved scheme shall be maintained throughout the construction period and shall remain free from any impediment to its designated use.

Reason:- In order to protect the amenities enjoyed by the occupants of neighbouring dwellings and future occupiers, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

8. The development hereby permitted shall only be carried out in strict accordance with the details as provided within the approved "Construction Method Statement Rev A July 2017" with the exception of plan ref. 466/ED/CMS2 Rev C as superseded by Site Execution Plan ref. 466-ED-76 Rev J and as shown on the following approved document / drawing plan references:

- 466-ED-CMS1 Rev C Plan 1
- 466-ED-CMS2 Rev E Plan 2
- 466/ED/CMS1 Rev C Plan 3

Construction and associated deliveries to the site shall not take place outside 08:00 to 19:00 hours Mondays to Fridays, 08:00 to 16:00 hours on Saturdays nor at any time on Sundays or Bank Holidays. In addition, pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays and at no time on Saturdays, Sundays or Bank Holidays.

Reason:- To protect the amenities enjoyed by the occupants of the adjacent dwellings, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

9. The development hereby permitted shall only be carried out in strict accordance with the approved scheme to limit the surface water run-off generated by the proposed development (to existing Greenfield rates with attenuation up to a 1 in 100 year event) as shown on the following approved document / drawing plan references:

- 466-ED-02 Rev S
- 466-ED-03 Rev E
- 466-ED-07 Rev F
- 466-ED-08 Rev F
- 466-ED-09 Rev F
- 466-ED-ED-10 Rev F
- 466-ED-11 Rev F
- 466-ED-12 Rev E
- 466-ED-12 Rev G
- 466-ED-13 Rev G
- 466-ED-14 Rev H
- 466-ED-15 Rev F
- 466-ED-18 Rev F





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- 466-ED-30 Rev C
- 466-ED-31 Rev B
- 466- ED-33 Rev A
- 466-ED-35 Rev A
- 466-ED-36
- 466-ED-37 Rev A
- 466-ED-46
- 466-ED-47 Rev A
- 466-ED-53

The approved scheme shall be fully implemented prior to any dwelling being brought into first use in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan) and subsequently maintained in accordance with the approved details.

Reason:- To ensure that surface water is managed appropriately in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

10. The development hereby permitted shall only be carried out in strict accordance with the approved scheme to manage the risk of flooding from overland flow of surface water and the drainage of existing flows onto the site as shown on the following approved document / drawing plan references:

- 466-ED-02 Rev S
- 466-ED-03 Rev E
- 466-ED-07 Rev F
- 466-ED-08 Rev F
- 466-ED-09 Rev F
- 466-ED- 10 Rev F
- 466-ED-11 Rev F
- 466-ED-12 Rev E
- 466-ED-12 Rev G
- 466-ED-13 Rev G
- 466-ED-14 Rev H
- 466-ED-15 Rev F
- 466-ED-18 Rev F
- 466-ED-30 Rev C
- 466-ED-31 Rev B
- 466- ED-33 Rev A
- 466-ED-35 Rev A
- 466-ED-36
- 466-ED-37 Rev A
- 466-ED-46
- 466-ED-47 Rev A
- 466-ED-53

The approved scheme shall be fully implemented prior to any dwelling being brought into first use in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan) and subsequently maintained in accordance with the approved details.





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Reason:- To ensure that surface water is managed appropriately in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

11. The development hereby permitted shall only be carried out in strict accordance with the approved scheme for surface water regulation, based on sustainable drainage principles including details of how the scheme will be maintained and managed after completion as shown on the following approved document / drawing plan references:

- 466-ED-02 Rev S
- 466-ED-03 Rev E
- 466-ED-07 Rev F
- 466-ED-08 Rev F
- 466-ED-09 Rev F
- 466-ED- 10 Rev F
- 466-ED-11 Rev F
- 466-ED-12 Rev E
- 466-ED-12 Rev G
- 466-ED-13 Rev G
- 466-ED-14 Rev H
- 466-ED-15 Rev F
- 466-ED-18 Rev F
- 466-ED-30 Rev C
- 466-ED-31 Rev B
- 466-ED-33 Rev A
- 466-ED-35 Rev A
- 466-ED-36
- 466-ED-37 Rev A
- 466-ED-46
- 466-ED-47 Rev A
- 466-ED-53
- "Sustainable Drainage Management and Maintenance Plan Rev 2" as received by the Council on the 17th December 2025 and email correspondence dated 3rd March 2026 concerning the maintenance of the land drains on private land

The approved scheme shall be fully implemented prior to any dwelling being brought into first use in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan) and subsequently maintained in accordance with the approved details.

Reason:- To ensure that the surface water is managed appropriately in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

12. The development hereby permitted shall only be carried out in strict accordance with the approved scheme for the foul drainage of the site as detailed within document reference "Foul Water Pumping Station Technical Submission Document" and as shown on approved document / drawing plan references:

- 466-ED-02 Rev S
- 466- ED-03 Rev E





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- 466-ED-07 Rev F
- 466-ED-08 Rev F
- 466-ED-09 Rev F
- 466-ED-10 Rev F
- 466-ED-11 Rev F
- 466-ED-12 Rev E
- 466-ED-12 Rev G
- 466-ED-13 Rev G
- 466-ED-14 Rev H
- 466-ED-15 Rev F
- 466-ED-18 Rev F
- 466-ED-30 Rev C
- 466-ED-31 Rev B
- 466- ED-33 Rev A
- 466-ED-35 Rev A
- 466-ED-36
- 466-ED-37 Rev A
- 466-ED-46
- 466-ED-47 Rev A
- 466-ED-53

The approved scheme shall be fully implemented prior to any dwelling being brought into first use in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan) and subsequently maintained in accordance with the approved details.

Reason:- To ensure satisfactory drainage is provided in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

13. The development hereby permitted shall only be carried out in strict accordance with the approved scheme to manage the drainage of existing inflows onto the application site as shown on the following approved document / drawing plan references:

- 466-ED-02 Rev S
- 466-ED-03 Rev E
- 466-ED-07 Rev F
- 466-ED-08 Rev F
- 466-ED-09 Rev F
- 466-ED- 10 Rev F
- 466-ED-11 Rev F
- 466-ED-12 Rev E
- 466-ED-12 Rev G
- 466-ED-13 Rev G
- 466-ED-14 Rev H
- 466-ED-15 Rev F
- 466-ED-18 Rev F
- 466-ED-30 Rev C
- 466-ED-31 Rev B
- 466- ED-33 Rev A





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- 466-ED-35 Rev A
- 466-ED-36
- 466-ED-37 Rev A
- 466-ED-46
- 466-ED-47 Rev A
- 466-ED-53

The approved scheme shall be fully implemented prior to any dwelling being brought into first use in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan) and subsequently maintained in accordance with the approved details.

Reason:- To ensure satisfactory drainage is provided in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

14. The development hereby permitted shall only be carried out in strict accordance with the approved details as contained within the Biodiversity Management Plan reference "Landscape and Ecological Mitigation Plan by TEP, REF 6270.02.003 Version 9 dated September 2018" and as shown within the following approved plan references:

- D6270.02.001J
- D6270.02.003F
- D6270.02.004F
- D6270.02.005F
- D6270.02.006F
- D6270.02.007F
- D6270.02.008F
- D6270.02.009F
- D6270.02.010F
- D6270.02.011F
- D6270.02.012F

The approved Biodiversity Management Plan (and accompanying plans), which includes for the provision for ecological retention, enhancement, implementation timetable and future maintenance and management shall be fully implemented and subsequently maintained in accordance with the timing / phasing arrangements embodied within it.

Reason:- To mitigate against the loss of existing biodiversity and nature habitats, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

15. The development hereby permitted shall only be carried out in strict accordance with the approved details as contained within the Biodiversity Management Plan reference "Landscape and Ecological Mitigation Plan by TEP, REF 6270.02.003 Version 9 dated 03.09.18" and the following approved details as shown on plan reference "D6270.02.002L Bird and Bat Box Location" for the incorporation of features into the scheme suitable for use by breeding birds (including swifts and house sparrows) and roosting bats. The approved Biodiversity Management Plan (and accompanying plans), which includes for the provision for ecological retention, enhancement, implementation timetable and future maintenance and





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management shall be fully implemented and subsequently maintained in accordance with the timing / phasing arrangements embodied within it.

Reason:- To mitigate against the loss of existing biodiversity and nature habitats, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

16. The development hereby permitted shall only be carried out in strict accordance with the approved details as contained within the "Bat Mitigation Strategy: Trees by TEP, REF 6270.01.001 dated August 2019", which provides for an assessment of the trees on the site for bat roost potential and a mitigation scheme. The approved Bat Mitigation Strategy shall be fully implemented and subsequently maintained in accordance with the timing / phasing arrangements embodied within it.

Reason:- To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

17. The development hereby permitted shall only be carried out in strict accordance with the approved details as contained within the "Badger Licensing Strategy by TEP, ref 5104.02.01 dated June 2019", which provides for an assessment of the badger setts on and adjacent to the site including a mitigation scheme. The approved Badger Licensing Strategy shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within it.

Reason:- To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

18. No tree / shrub clearance works shall be carried out on the site between 1st March and 31st August inclusive, except in strict accordance with the methodology prepared by TEP, ref. 7673.003 dated 28th April 2021 which provides a scheme to protect breeding birds. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within it.

Reason:- Such conditions are to be used to ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended.

19. The development hereby permitted shall only be carried out in strict accordance with the approved strategy for the control and eradication of Japanese Knotweed as contained within the "Survey and Recommendations report by Japanese Knotweed Solutions Ltd dated 17.03.2017", which includes proposed measures used to prevent the spread of Japanese Knotweed during any operations (e.g. mowing, strimming or soil movement) and to ensure that any soils brought to the application site are free of the seeds / root and or stem of any invasive plant covered under the Wildlife and Countryside Act 1981 (as amended) as shown on approved plan references JK17-2519-01 and JK17-2519-02. The approved Survey and





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Recommendations report shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within it.

Reason:- To ensure that the development can be carried out safely without unacceptable risks in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

20. The development hereby permitted shall only be carried out in strict accordance with the approved detailed designs for pedestrian / cycle access and in accordance with the general arrangements as shown on approved plan reference 466/P/DF/01 Rev C including the junction arrangements at Macclesfield Road and as shown within the following approved plan references:

- 466-ED-06 Rev H
- 466/P/PL/01 Rev X
- VD17501-100-01J
- VD17501-100-03.1E
- VD17501-100-04.1D
- VD17501.100-04.2C
- VD17501-110-01B
- VD17501-120-03B
- VD17501-200-01H
- VD17501-500-01I
- VD17501-700-01I
- VD17501-1100-01I
- VD17501-1200-01F
- VD17501-1200-02D

The approved detailed designs for pedestrian / cycle access shall be designed, laid out and implemented prior to the first occupation of the development in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan) or prior to any dwelling being brought into first use within that phase.

Reason:- In pursuit of sustainable transport objectives, in the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

21. No dwelling within the development hereby permitted shall be first occupied except in strict accordance with the approved Travel Plan document reference "Residential Development Linglongs Road, Whaley Bridge Barratt Homes August 2019 VAL/17314/TP/4". The approved Travel Plan includes the objectives, targets, mechanisms and measures to achieve the targets, implementation timescales, provision for monitoring and arrangements for a Travel Plan co-ordinator, who shall be in place until 5 years after the completion of the final phase of development as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan) or prior to any dwelling being brought into first use within that phase. The approved Travel Plan shall be audited and updated and submitted for the approval of the Local Planning Authority at intervals no longer than 18 months. The approved Travel Plan, including any





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approved modifications shall be fully implemented and subsequently maintained in accordance with the timing / phasing arrangements embodied within it.

Reason:- In the interests of highway safety and sustainable travel patterns including reducing vehicular traffic to the development, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

22. Within one month of the date of the decision notice for planning permission ref. HPK/2022/0495 dated 13th May 2026, a detailed scheme to provide dedicated car parking provision to serve residents along Macclesfield Road (in accordance with the principles established by plan references: 466/ED/CMS2 Rev E 'Construction Method Statement' with the exception of plan ref. 466/ED/CMS2 Rev C as superseded by Site Execution Plan ref. 466-ED-76 Rev J; 466/P/MP01 Rev E 'Planning Layouts Management Plan'; 466/P/HLL/01 Rev J 'External Details Hard Landscaping Layout, Landscape Management Schedule – Rev D and 466/P/PL/01 Rev A1 'Planning Layout) shall be submitted to and approved in writing by the Local Planning Authority. The approved dedicated car parking provision shall be made available for use within 6 months of the date of the decision ref. HPK/2022/0495 dated 13th May 2026 and thereafter shall be retained solely for the parking of vehicles in accordance with the approved management arrangements.

Reason:- To ensure that adequate provision is made for parking within the site in the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

23. No trees, shrubs or hedges within the site shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species.

Reason:- To protect the health and amenity of the trees in accordance with Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

24. No development or other operations (including site clearance) shall be commenced except in strict accordance with the approved details as contained within the approved "Arboricultural Method Statement (AMS) Linglongs Road, Whaley Bridge TEP.6270.01.001 September 2018" detailing tree protection measures in relation to matters including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery.

Reason:- To protect the health and amenity of the trees in accordance with Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

25. The development hereby permitted shall only be carried out in strict accordance with the approved "Consolidated Geo-Environmental Report by OPUS, REF J-D1747.00_R1_NLC" in relation to the remediation scheme demonstrating how the safety and stability of the site will be remediated in relation to former coal mining activity. The approved remediation scheme





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shall be completed prior to any dwelling being brought into first use in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan).

Reason:- In the interests of amenity and in accordance with Policy EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

26. The development hereby permitted shall only be carried out in strict accordance with approved final ground levels as shown within the following approved plan references:

- 466-ED-01 Rev J
- 466- ED-02 Rev R
- 466-ED-22 Rev J
- 466-ED-23 Rev G
- 466-ED-24 Rev F
- 466-ED-25 Rev F
- 466-ED-26 Rev B
- 466-ED-42 Rev B
- 466-ED-48 Rev A

The approved scheme shall be fully implemented prior to any dwelling being brought into first use in any phase as shown on approved plan reference 466/ED/76 Rev J (Site Execution Plan).

Reason:- In the interests of the character and appearance of the area/ neighbouring amenities, in accordance with Policies EQ2 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

Informative(s)

- a) 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 39 of the National Planning Policy Framework.
- b) The applicant is advised that this decision should be read in conjunction with the Unilateral Agreement dated 9th March 2015 and the Deed of Variation dated 28th May 2025.
- c) Public Right of Way HP23/57/2 crosses the site. The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. A temporary closure of the footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information may be obtained by contacting the County Rights of Way Section.





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X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council



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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](tel:03338802000).
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 you want to appeal against your local planning authority's decision then you must





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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 www.planningportal.gov.uk/pcs. 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.
9. Developers should also be aware of the provisions of the Gas Safety Regulations 1972 and Gas Safety (Installation and Use) Regulations 1984. It is possible that the existing gas service pipe which lies within the area of the proposed extension of alterations which will contravene the provisions of these Regulations. It is necessary that you contact British Gas, North West House, Gould Street, Manchester, M4 4DJ, who will advise if the existing gas service pipe requires alterations.

