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Application no: HPK/2023/0459

Determined on: 25th June 2026

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:

Land to the South of Dinting Road and West of Dinting Lane, Dinting Road,
Higher Dinting Glossop, Derbyshire

Description of Development:

Construction of 3 dwellings with associated landscaping and engineering works

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 Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Approved Plans

2. The development hereby approved shall be carried out in accordance with the following approved plans:
 - Site Location Plan 001 Rev B
 - Proposed Site Plan - 3 Units drawing ref. 005 Rev K
 - 08/24 House Type - Proposed Plans & Elevations drawing ref. 004 Rev A





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- Landscape Proposals drawing ref. 6804.03 Rev H

Reason:- To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

Removal of Permitted Development Rights

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification):-

- a) No development as specified in Part 1 Class(es) A, AA, B, C, D and E other than those expressly authorised by this permission, shall be carried out on any plot without express planning permission first being obtained from the Local Planning Authority.
- b) No development as specified in Part 1 Class F other than those expressly authorised by this permission, shall be carried out on any plot without the express planning permission first being obtained from the Local Planning Authority, and,
- c) No development as specified in Part 2 Class A other than those expressly authorised by this permission, shall be carried out on any plot without the express planning permission first being obtained from the Local Planning Authority.

Reason:- In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

House Type Details

4. Prior to any works taking place above damp proof course level, details of facing materials to be used in the construction of external walls and roofs of the dwellings, garages and chimneys, swift boxes, eaves, verges, windows (including head and sill details), doors (including garage) and hard surfacing (including shared surfaces) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

Boundary Treatment

5. No development hereby permitted shall be commenced until details of the design, external appearance and decorative finish of all railings, fences, gates, walls (including retaining walls and steps), bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the dwelling to which they relate to. Any other enclosure (including retaining walls) shall be carried out in accordance with the approved details prior to the proposed development being brought into first use. The approved scheme shall be maintained for those purposes at all times thereafter.





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Reason:- To ensure that the external appearance of the development is appropriate to its surroundings including Designing out Crime in accordance with Policy EQ6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

Recesses

6. All external doors and windows shall be set back from the face of the building by a minimum of 100mm (new build).

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

Refuse Storage

7. Notwithstanding any description of the storage of refuse within the application details and / or approved plans, no development hereby permitted shall be commenced until details of the storage of refuse (collection points and in-plot), including details of location, size, means of enclosure and materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and prior to the first occupation of the development.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings and highway safety in accordance with Policy EQ6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

Levels

8. No development hereby permitted shall be commenced until detailed plans and sections showing both existing and proposed site levels, together with the proposed relationship with adjacent land have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

Landscaping & Biodiversity / Ecology

9. The approved landscaping scheme shall be fully implemented before the end of the first available dormant season (November to February inclusive) following the first occupation of the development in accordance with the following approved details: 'Landscape Proposals' drawing ref. 6804.03 Rev H. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species

Reason:- To protect existing trees and hedgerows and in the interests of the character and appearance of the area and nature conservation / biodiversity in accordance with





Policy EQ6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

10. No development hereby permitted shall be commenced until a Biodiversity Gain Plan has been submitted to and approved in writing the Local Planning Authority. Development shall be carried out in accordance with the approved Biodiversity Gain Plan and the measures within it carried out prior to the proposed development being brought into first use. The approved measures within the Biodiversity Gain Plan shall be maintained for at all times thereafter and the development shall be managed in accordance with the approved Plan.

Reason:-

To comply with paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. To mitigate against the loss of existing biodiversity and nature habitats, in accordance with Policy EQ5 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

11. No development hereby permitted shall be commenced (including any site clearance, site stripping, site establishment, formation of new access, installation of any drainage infrastructure or groundworks) until a LEMP (Landscape and Ecological Management Plan) has been submitted to and approved in writing by the Local Planning Authority, giving details of the proposed creation, maintenance, management and development, including timescales and delivery mechanisms, for all landscaping and wildlife habitats and associated structures / features within the various open spaces, ecological areas and structural landscape buffer strips for the development. This shall include full and accurate locations of existing and any proposed new habitats; technical specifications, timescales and phasing for the creation of any new habitats; 5-year establishment and aftercare management prescriptions for any newly created habitats and a minimum 20-year maintenance and management operations for all habitats throughout the site to be monitored and reviewed every 5 years for the development. Following approval of the Landscape and Ecological Management Plan, the scheme shall be fully implemented and managed in accordance with the details and timescales so approved.

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

12. No tree, scrub or hedgerow clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

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

13. Site clearance shall be undertaken in a manner by which to safeguard hedgehogs and herptiles. All rubble piles and general debris that could be used for shelter shall be carefully cleared by hand to a location such as a skip, other container or raised pallets. This shall be undertaken prior to machinery entering site and avoiding the core hibernation period





(November-February). Vegetation shall be strimmed initially to 150mm above ground level to allow any individuals to escape or be moved. If a hedgehog or herptile is discovered during clearance, it shall be moved immediately and carefully with gloved hands to an area of shelter such as beneath adjacent hedgerow / bushes on the south-western boundary, unless able to move away freely. A statement of compliance shall be submitted to and approved in writing by the Local Planning Authority upon completion of the clearance works.

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

Construction / Demolition

14. No development hereby permitted shall be commenced (including any site clearance, site stripping, site establishment, formation of new access, installation of any drainage infrastructure or groundworks) until a Demolition, Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority and shall include the following details:-
- i. the hours of work, which shall not exceed the following: construction and associated deliveries to and from the site shall not take place outside 07:30 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or bank holiday;
 - ii. the arrangements for prior notification to the occupiers of potentially affected properties;
 - iii. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
 - iv. a scheme to minimise dust emissions arising from construction activities on the site. the scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
 - v. If piling is necessary, a written piling options assessment shall be submitted to the Local Planning Authority, to demonstrate noise and vibration mitigation measures consistent with best practical means.
 - vi. a scheme for recycling/disposal of waste resulting from the construction works;
 - vii. any temporary access to the site;
 - viii. a site compound with associated temporary buildings;
 - ix. the parking of vehicles of site operatives and visitors;
 - x. the loading and unloading of plant and materials;
 - xi. routing of vehicles to and from the site;
 - xii. locations for loading/unloading and storage of plant, waste and construction materials;
 - xiii. method of preventing mud and dust being carried onto the highway;
 - xiv. arrangements to receive abnormal loads or unusually large vehicles;
 - xv. highway condition survey;
 - xvi. methods of communicating the construction management plan to staff, visitors and neighbouring residents and businesses.
 - xvii. the erection and maintenance of security hoarding,





xviii. details of measures to protect the public footpaths and amenity of users of any public footpaths crossing or adjacent to the site during the construction works.

All works within the development shall be carried out in accordance with the approved Method Statement.

Reason: To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected in accordance with Policy EQ6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

Highway Safety & Sustainable Travel

15. No development hereby permitted shall be commenced until full technical details of the proposed access off Dinting Lane has been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be provided in accordance with the approved details prior to the development being brought into first use.

Reason:- To ensure each property can be safely and effectively serviced and sufficient parking is provided on site upon dwelling occupation in accordance with Policy CF6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

16. The development hereby permitted shall not be brought into first use until the access, parking, servicing and turning areas have been provided in accordance with the approved Planning Layout drawing ref. Proposed Site Plan - 3 Units drawing ref. 005 Rev J (or any amended drawing as may subsequently be approved in writing by the Local Planning Authority). The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the lifetime of the development.

Reason:- To ensure each property can be safely and effectively serviced and sufficient parking is provided on site upon dwelling occupation in accordance with Policy CF6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

17. No above ground works of the development hereby permitted shall be commenced until full details of secure cycle parking facilities for the occupants of and visitors to the approved development have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the first occupation of the associated dwelling and thereafter shall be retained for use at all times.

Reason:- In order to ensure sufficient cycle parking provision within the development in accordance with Policies In the interests of highway safety, in accordance with Policy CF6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and / or re-enacting that Order), the garages / car parking spaces of the development hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging / parking of private motor vehicles associated with the residential occupation of the property concerned without the grant of a further specific planning permission from the Local Planning Authority.

Reason:- In order to ensure sufficient car parking provision within the development in accordance with Policy CF6 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.



Noise Impacts

19. No dwelling within the development hereby permitted shall be brought into first use until the noise mitigation scheme for that dwelling as detailed within the approved noise report document ref. PDA, "Environmental Noise & Vibration Assessment" (ref: J004216-6000-SI-04) dated 1st October 2024) has been implemented for that dwelling. Mitigation shall ensure that the following noise criteria are met.

- a) An internal noise level for habitable rooms during the day (0700-2300hrs) of 35dB(A)LAeq,16hrs
- b) An internal noise level for bedrooms during the night (2300-0700hrs) of 30dB(A)LAeq,8hrs and 45dB(A)LAmx
- c) Noise levels within external living areas such as balconies, terraces and gardens during the day (0700-2300hrs) of 55dB(A)LAeq,16hrs

In addition, no dwelling within the development hereby permitted shall be brought into first use until an overheating mitigation strategy to provide an alternative method to remove heat from that dwelling other than relying on windows remaining open during the nighttime period shall be submitted to and approved in writing by the Local Planning Authority. The strategy document shall include a TM59 – fixed temperature test (completed at 'passed'). A validation report demonstrating completion of the mitigation works as set out in both the approved noise report and overheating mitigation strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to that dwelling being brought into first use.

Reason:- To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected in accordance with Policy EQ6 of the High Peak Local Plan 2016 and paragraph(s) 17 and 123 of the National Planning Policy Framework.

Contamination

20. No development hereby permitted shall be commenced, with the exception of site investigation and remediation works until conditions a and b below have been complied with.

a) Site Characterisation

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 shall be submitted to and approved in writing by 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 shall be submitted to and approved in writing by 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:





- III. 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, archeological sites and ancient monuments;
- IV. an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Land Contamination Risk Management" (LCRM) guidance.

b) Submission of Remediation Scheme

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 shall be submitted to and approved in writing by 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.

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out prior to the first occupation of the development. 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 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition b.

e) Validation Report

Prior to bringing the development into first use, a validation report demonstrating completion of the works as set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved validation plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages,



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maintenance and arrangements for contingency action, as identified in the validation plan and for the reporting of such monitoring to the Local Planning Authority for the development.

21. No topsoil / fill material shall be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall include: the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall be carried out and the validity evidence shall thereafter be submitted to and approved in writing by the Local Planning Authority prior to any importation of such material onsite.

Reasons (20 to 21):- To ensure that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks and in accordance with Policies EQ6 and EQ10 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

Archaeology

22. No development hereby permitted shall commence until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority and until any pre-start element has been completed in accordance with the approved scheme. The scheme shall include an assessment of significance and research questions and the following information:

- a) The programme and methodology of site investigation and recording;
 - b) The programme for post-investigation assessment;
 - c) Provision to be made for analysis of the site investigation and recording;
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation, and,
 - f) Nomination of a competent person or persons / organisation to undertake the works.
- No dwelling or building shall be occupied until the site investigation and post investigation assessment has been implemented in accordance with the approved written scheme of investigation and the provision to be made for analysis, publication and dissemination of results and archive deposition have been secured.

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 Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

Informative(s)

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 39 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.





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Local Highway Authority:

I.

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

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.

II.

You are advised that the internal access road will not be accepted for adoption by the Highway Authority under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980, unless and until you agree to exempt the access road. The exemption from adoption will be held as a Land Charge against all properties within the application boundary.

III.

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

IV.





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The Developer is requested to erect a sign at the boundary of the new estate street with the nearest public highway providing the Developer's contact details and informing the public that the County Council is not responsible for the maintenance of the street.

V.

The development includes a retaining wall adjacent to the highway and the Applicant/Developer is required to have regard to Section 167 of the Highways Act 1980, which in some circumstances requires plans, sections and the specification of the retaining wall to be submitted to the County Council for its separate approval before works on the development can commence.

VI.

Public Right of Way, Glossop, Footpath No. 124, as shown on the Derbyshire Definitive Map, must remain open, unobstructed and on its legal alignment at all times. There should be no disturbance to the surface of the route without prior authorisation from the Rights of Way Inspector for the area. Consideration should be given to members of the public using the route at all times. A temporary closure of the route may be granted to facilitate public safety subject to certain conditions. Further information may be obtained by contacting the Rights of Way Section – ETE.PROW@derbyshire.gov.uk. If a structure is to be erected adjacent to the right of way, it should be installed within the site boundary so that the width of the right of way is not encroached upon.

VII.

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 a. Informing, respecting and showing courtesy to those affected by the work; b. Minimising the impact of deliveries, parking and work on the public highway; c. Contributing to and supporting the local community and economy; and d. 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.

VIII.





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The development hereby approved, and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at www.derbyshire.gov.uk/transport-roads/roadtraffic/roadworks/roadworks.aspx before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

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](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





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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.

