

Mr D Seaton  
PCL Planning  
13A-15A Old Park Avenue  
Pinhoe  
Exeter  
EX1 3WD

Waddeton Park Ltd

## **Town and Country Planning Act 1990 and its orders**

### **OUTLINE PLANNING PERMISSION GRANTED**

**LOCATION:** Land At St Bridget Nursery, Old Rydon Lane, Exeter, Devon EX2 7JY

**PROPOSAL:** Outline planning application for the demolition of existing buildings and structures and the phased development of up to 350 dwellings and associated infrastructure and open space. (All matters reserved except access)

**APPLICATION NUMBER:** 22/0537/OUT

The Local Planning Authority grants outline permission for the above development subject to the following conditions:

#### **1) CONDITION: RESERVED MATTERS**

Details of the layout, scale, appearance and landscaping (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To safeguard the rights of the local planning authority in respect of the reserved matters. This information is required before development commences to ensure that the development is properly planned with appropriate regard to the reserved matters.

#### **2) CONDITION: STANDARD TIME LIMITS - OUTLINE PLANNING PERMISSION**

Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission and the development hereby permitted must be begun not later than two years from the final approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 rule 2 of the Town and Country Planning Act 1990 as amended.

#### **3) CONDITION: APPROVED PLANS**

The development hereby permitted shall be carried out on the land outlined in red on drawing number 200909 L 01 01 ('Location Plan') and shall not be carried out otherwise than in accordance with the plans listed below, unless modified by the other conditions of this consent:

- A379 / Old Rydon Lane Junction Layout And Primary Street Site Access (47450/5505/SK06 Rev A)
  - Old Rydon Lane - Eastern Site Access With Downgraded Old Rydon Lane And Change of Priority With Primary Street (47450/5505/SK02 Rev B)
- Reason: To ensure compliance with the approved drawings.

#### **4) CONDITION: REPLACEMENT TREE PLANTING**

The application(s) for approval of landscaping details shall include replacement tree planting on the site to compensate for the loss of trees for access.

Reason: In the interests of biodiversity, visual amenity and screening taking into account the submitted Tree Constraint Plans 05520 TCP 24.11.20 Sheets 1 to 3 and Ecological Impact Assessment.

#### **5) CONDITION: LANDSCAPED EARTH BUND**

The application(s) for approval of landscaping details shall include a landscaped earth bund to mitigate the impact of noise generated by traffic on the A379 west of the site in accordance with the recommendations of the submitted Environmental Noise Assessment (AASW, September 2020).

Reason: In the interests of residential amenity and to provide an attractive, green edge to the site for users of the A379.

#### **6) CONDITION: LIGHTING DESIGN STRATEGY - DARK AREAS**

The application(s) for approval of the reserved matters shall include a Lighting Design Strategy to maintain 'dark areas' on the site incorporating:

- a) A map showing the 'dark areas' that will be maintained on site.
- b) An evidence based assessment of light levels of the development, including buildings, vehicle headlamps and street lighting, comprising a written report and accompanying drawings of the site with the levels of predicted illuminance and light spill in and adjacent to the 'dark areas' shown by appropriate isolines.
- c) Evidence to demonstrate that a light spill no higher than 0.5 lux will be achieved within the 'dark areas'.
- d) Where c) is achieved either fully or in part through landscaping, details of the landscaping and its management to ensure it will maintain the 'dark areas' in perpetuity. These details shall be incorporated into the details of landscaping and Landscape and Ecological Management Plan (LEMP) where applicable.

The Lighting Design Strategy shall be implemented and maintained as approved.

Reason: To prevent disturbance to bats taking into account the submitted Ecological Impact Assessment.

#### **7) CONDITION: SURFACE WATER DRAINAGE**

Prior to or as part of the Reserved Matters, the following information shall be submitted to and approved in writing by the Local Planning Authority:

- a) Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with our DCC groundwater monitoring policy.
- b) A detailed drainage design based upon the approved Sustainable Drainage Strategy and Level 2 Flood Risk Assessment 515-FRA2 V2 (dated 31 January 2022) and the results of the information submitted in relation to (a) above

- c) Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted.
- d) Proposals for the adoption and maintenance of the permanent surface water drainage system.
- e) A plan indicating how exceedance flows will be safely managed at the site.
- f) Evidence there is agreement in principle from South West Water for the new connection into their system.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (f) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

## **8) CONDITION: TRAFFIC REGULATION ORDER**

Prior to commencement of development hereby approved a Traffic Regulation Order shall be submitted and approved by the relevant Highway Authority and a copy submitted to and approved in writing by Local Planning Authority.

Reason: To ensure safe and acceptable access routes can be secured in accordance with the approved plans.

## **9) CONDITION: PHASING PLAN**

Prior to the commencement of the development hereby permitted a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan.

Reason: To ensure all parts of the development, including infrastructure, are delivered in an appropriate order. A phasing plan is required before development begins to confirm the order the development will be carried out.

## **10) CONDITION: UPDATED ECOLOGICAL SURVEYS**

No development shall take place on each phase of development or use of any part of the wider site in association with the construction, until an Ecology Report for the relevant phase or area has been submitted to and approved in writing by the Local Planning Authority. The reports shall include updated ecological surveys for the phases and recommendations for mitigation to address the ecological constraints.

Reason: To make sure that the mitigation is still appropriate given the development will be delivered in phases over a long period of time. This is in accordance with current government guidance on protected species and development. These details are required pre-commencement as specified to ensure that appropriate mitigation measures are implemented during the construction phases based on the current ecological condition of the site.

## **11) CONDITION: CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CEMP)**

No development (including demolition and ground works) or vegetation clearance works shall take place in any approved phase of the development until a Construction and Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMPs shall be prepared in accordance with clause 10 of BS 42020:2013 ('Biodiversity - Code of practice for planning and development'), or any superseding British Standard, and include the following:

- Risk assessment of potentially damaging construction activities.
- Identification of 'biodiversity protection zones'.
- Mitigation Method Statements, in accordance with the recommendations of the approved Ecology Reports under condition 9.

Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.

- The location and timing of sensitive works to avoid harm to biodiversity features. This includes the use of protective fences, exclusion barriers and warning signs.
- The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP, and the actions that will be undertaken.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMPs shall be adhered to and implemented throughout the construction period of the development strictly in accordance with the approved details.

Reason: To protect the biodiversity of the site including protected species, taking into account the recommendations of the submitted Ecological Impact Assessment. A CEMP is required before any development begins to ensure that appropriate mitigation measures are identified and carried out during the construction phase.

## **12) CONDITION: ARCHAEOLOGY**

No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

## **13) CONDITION: CONTAMINATION**

No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: To protect the health and amenity of residents and visitors. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

## **14) CONDITION: ARBORICULTURAL METHOD STATEMENT AND TREE PROTECTION PLAN**

No development (including ground works) or vegetation clearance works shall take place until an Arboricultural Method Statement and Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. This information shall be prepared in accordance with BS 5837:2012 ('Trees in relation to design, demolition and construction'), or

any superseding British Standard, and include details of tree/hedgerow protection fencing, which must be erected prior to the commencement of the development and retained until the completion of the development. No vehicles, plant or materials shall be driven or placed within the areas enclosed by the fences. The approved Arboricultural Method Statement and Tree Protection Plan shall be adhered to throughout the construction of the development.

Reason: To protect the trees and hedgerows to be retained in the interests of the amenities of the area and biodiversity, in accordance with saved Policy LS4 of the Exeter Local Plan First Review and the Trees in Relation to Development SPD (September 2009). These details are required pre-commencement as specified to ensure that trees and hedgerows to be retained are not damaged by building operations or vegetation removal, including their biodiversity interests.

## **15) CONDITION: CONSTRUCTION METHOD STATEMENT**

Prior to the commencement of development in any approved phase a Construction Method Statement for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Statements shall provide for:

- Timetable of Works
- Construction vehicle numbers, size, type and routing.
- Access arrangements to the site, including details of any new access being created.
- Traffic management requirements.
- Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas).
- The erection and maintenance of securing hoarding, if appropriate.
- Siting and details of wheel washing facilities.
- Cleaning of site entrances, site tracks and the adjacent public highway.
- Provision of sufficient on-site parking prior to commencement of construction activities and methods to promote car sharing to limit staff vehicles parking off-site.
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- Measures to control the emission of dust and dirt during construction.
- No burning on site during construction or site preparation works.
- Measures to minimise noise nuisance to neighbours from plant and machinery.
- Photographic evidence of the condition of adjacent public highway prior to commencement of any work;
- Hours of construction working hours and deliveries limited to 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays unless alternative times have been agreed in writing with the Local Planning Authority.

The approved Statements shall be strictly adhered to throughout the construction period of the phase of the development to which they relate.

Reason: To ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses and in the interests of the safety and convenience of highway users. These details are required pre-commencement as specified to ensure that building operations are carried out in an appropriate manner.

## **16) CONDITION: WASTE AUDIT STATEMENT**

Prior to the commencement of development in any approved phase, a Waste Audit Statement for that phase shall be submitted to and approved in writing by the Local Planning Authority. This statements shall include all information outlined in the waste audit template provided in

Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statements. Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

#### **17) CONDITION: UPDATED ACOUSTIC DESIGN STATEMENT**

Prior to commencement of each phase of the development the applicant shall submit for approval in writing by the LPA an updated Acoustic Design Statement, including assessment of overheating conditions. The Acoustic Design Statement should demonstrate good acoustic design, including achieving both sustainable acoustic comfort and sustainable thermal comfort. Any mitigation measures required shall be implemented in full prior to occupation of the development, and maintained thereafter.

Reason: In the interest of residential amenity and in accordance with recommendations set out in the submitted Environmental Noise Assessment. These details are required to ensure there is suitable residential amenity protection from noise impacts.

#### **18) CONDITION: UNEXPECTED CONTAMINATION**

If contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works 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.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

#### **19) CONDITION: BIRD NESTING SEASON**

No tree works or felling, cutting or removal of hedgerows or other vegetation clearance works shall be carried out on the site during the bird nesting season from March to September, inclusive. If this period cannot be avoided, these works shall not be carried out unless they are overseen by a suitably qualified ecologist and the reasons why have previously been submitted to and approved in writing by the Local Planning Authority, including the date of the intended works and the name and contact details of the ecologist. If nesting birds are found or suspected during the works, the works shall cease until the ecologist is satisfied that the nest sites have become inactive.

Reason: To protect nesting birds in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraphs 179 and 180 of the NPPF (2021).

#### **20) CONDITION: ENERGY PERFORMANCE STANDARD**

Prior to the construction of the foundations of any dwelling hereby permitted, the Design SAP calculation(s) of the dwelling(s) shall be submitted to and approved in writing by the Local

Planning Authority, which shall demonstrate that the dwelling(s) will achieve a 19% reduction in CO2 emissions in relation to the level required to meet the 2013 Building Regulations, or if the dwellings are constructed to the 2022 Building Regulations that a reduction in CO2 emissions at the levels (or higher) set out in Part L of the 2022 Building Regulations will be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented. No dwelling shall be occupied until the As-Built SAP calculation of the dwelling has been submitted to and approved in writing by the Local Planning Authority to confirm that the CO2 reduction has been achieved.

Reason: To ensure the dwelling(s) will achieve the energy performance standard required by Policy CP15 of the Core Strategy, taking into account the Written Ministerial Statement on Plan Making (25 March 2015) requiring local planning authorities not to exceed the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes, in the interests of reducing greenhouse gas emissions and delivering sustainable development. (Advice: Please see Paragraph: 012 ID: 6-012-20190315 of the National Planning Practice Guidance on Climate Change for background information.)

## **21) CONDITION: MATERIALS**

Prior to the construction of any dwelling hereby permitted (except the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials of the dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall be constructed in accordance with the approved materials.

Reason: To ensure good quality design and local distinctiveness, in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraph 130 of the NPPF (2021).

## **22) CONDITION: NESTING AND ROOSTING BOXES**

Prior to the construction of any dwelling hereby permitted (except the foundations), details of the provision for nesting birds and roosting bats in the built fabric of the dwellings shall be submitted to and approved in writing by the Local Planning Authority (with a minimum overall average ratio of 1 built-in nest/roost site per dwelling - provision can be more concentrated on dwellings in more suitable locations). The approved details shall be fully implemented as part of the development and retained thereafter.

Reason: To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 180 of the NPPF (2021).

## **23) CONDITION: EXTERNAL LIGHTING**

No external lighting shall be installed on the site unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details.

Reason: To ensure lighting is well designed to protect the amenities of the area and wildlife.

## **24) CONDITION: CHARGING POINTS**

Prior to occupation of any dwelling hereby approved a rapid charge Electric Vehicle charging point shall be provided for the dwelling at a level of 1 space per dwelling with off-street parking and 1 per 10 spaces for unallocated parking. The charging points shall be maintained at all times thereafter.

Reason: To mitigate environmental impacts from traffic emissions in accordance with Policy CP11 of the Core Strategy, taking into account good practice guidance in Land-Use Planning &

## **25) CONDITION: SITE ACCESS**

Prior to the first occupation of the development hereby permitted a phasing plan for delivery of site access shall be submitted and approved by the Local Planning Authority. The approved access and egress points set out in the approved phasing plan shall be delivered prior to first occupation of any dwelling, with the remaining points delivered in accordance with the approved phasing plan details. The site access and visibility splays shall be constructed, laid out and maintained for that purpose in general accordance with approved drawings 47450/5505/SK06A, 47450/5505/SK02B and 47450/5505/SK01B where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway ( identified as Y ) shall be 43 metres in both directions. Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water onto the highway.

## **26) CONDITION: CYCLE PARKING**

No dwelling shall be occupied until cycle parking has been provided for the dwelling in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The parking shall accord with the minimum parking standards for residents in Table 2 of the Sustainable Transport SPD and be designed in accordance with the guidance contained therein. The cycle parking shall be maintained at all times thereafter.

Reason: To encourage cycling as a sustainable mode of transport in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport Supplementary Planning Document (March 2013).

## **27) CONDITION: CAR PARKING**

No dwelling shall be occupied until the car parking for the dwelling and access thereto has been provided and made available for use. The car parking provided shall be in accordance with the details set out in the Residential Design Guide SPD (including number of spaces, access and size) and shall be maintained at all times thereafter and kept permanently available for the purpose of car parking.

Reason: To ensure that adequate car parking is provided and maintained for the dwellings, in the interests of highway safety and to protect the amenities of the neighbourhood.

## **28) CONDITION: BIN STORAGE AREAS**

No dwelling shall be occupied until refuse and recycling stores have been provided, in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The refuse/recycling stores shall remain in situ for their intended use at all times thereafter.

Reason: To accord with the Residential Design SPD (Chapter 8) and to ensure sufficient space is provided for the requisite number of receptacles.

## **29) CONDITION: TRAVEL PLAN**

No part of the development shall be occupied until a Travel Plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. Thereafter the recommendations of the Travel Plan shall be implemented, monitored and reviewed in

accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.

Reason: To encourage travel by sustainable means, in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Supplementary Planning Document (March 2013).

### **30) CONDITION: BIODIVERSITY ENHANCEMENT**

Prior to the construction of any dwelling hereby permitted (except the foundations), a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority, taking into account the recommendations of the submitted Ecological Impact Assessment (SWE209 Version 2). The biodiversity enhancement measures in the approved BEP shall be fully implemented as part of the development and retained at all times thereafter.

Reason: To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 180 of the NPPF (2021)

### **31) CONDITION: DELIVERY OF HIGHWAYS**

Prior to first occupation of any dwelling hereby approved a phasing plan for highway shall be submitted in writing to, and approved by, the Local Planning Authority. This phasing plan shall set out delivery of all roads, footways, footpaths, drainage, statutory undertakers' mains and apparatus, junction, access, retaining wall and visibility splays. The works shall be completed in accordance with the approved timeframe unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the access arrangements are completed within a reasonable time in the interests of safety and the amenity of residents.

### **32) PRIMARY HIGHWAY**

The primary vehicle highway connecting the approved access points to Old Rydon Lane shall be designed to be suitable for bus traffic movements.

Reason: To promote sustainable transport measures and ensure highway safety.

### **33) CLUB CAR AND CLUB-BIKE**

No part of the development hereby approved shall be brought into its intended use until details of club car parking and a club-bike stations, including delivery timescales, have been submitted to, and approved in writing by, the Local Planning Authority. The approved club car parking and club-bike stations shall be delivered in accordance with the approved timetable and retained at all times thereafter.

Reason: To provide adequate facilities for sustainable transport and ECC Core Strategy CP9.

## **INFORMATIVES**

### **1) INFORMATIVE: NEGOTIATED APPROVAL**

In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

### **2) INFORMATIVE: CIL**

The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. The relevant forms should be submitted with each Reserved Matters application.

### 3) **INFORMATIVE: EUROPEAN MARINE SITES**

In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Area (SPA), the Exe Estuary, which is a designated European site. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South East Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the Community Infrastructure Levy (CIL) collected in respect of the development being allocated to fund the mitigation strategy. Or, if the development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

Signed

A handwritten signature in black ink, reading "Roger Clotworthy". Below the signature is a horizontal line.

Roger Clotworthy  
**Exeter City Council**  
**Service Lead- City Development**

**Date:** 31st July 2023

**Notification where planning permission refused or granted subject to conditions  
Town and Country Planning Act 1990**

**Article 35(3) of The Town and Country Planning (Development Management Procedure)  
(England) Order 2015 (as amended)**

**Appeal**

If you are aggrieved by the decision of the Local Planning Authority to either refuse planning 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. Only the person who made the application can appeal.

To submit an appeal, please go to the Planning Inspectorate website:

<https://www.gov.uk/government/organisations/planning-inspectorate>

Appeals must be made using a form, which can either be completed and submitted online or can be sent to you in the post by the Planning Inspectorate. To request a form, please contact the Planning Inspectorate using their contact details below:

The Planning Inspectorate  
Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Planning Inspectorate customer support team  
0303 444 5000  
[enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)

A copy of the completed form and all supporting plans and documents must also be sent to the Local Planning Authority. The Planning Inspectorate will be able to advise you on the best way to do this. Please use the Council's contact details at the top of the decision notice.

If you want to make an appeal you must do so within **6 months** of the date of this notice, unless it is a **householder appeal** in which case you must do so within **12 weeks** of the date of this notice. The date is at the bottom of the decision notice.

If an enforcement notice has been served relating to the same or substantially the same land and development as in your application, and you want to appeal against the Local Planning Authority's decision on your application, then you must do so within **28 days** of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application, and you want to appeal against the Local Planning Authority's decision on your application, then you must do so within whichever period expires earlier out of the following:

- 28 days of the date of service of the enforcement notice, or
- 6 months of the date of this notice, unless it is a householder appeal in which case 12 weeks of the date of this notice.

Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. Guidance on planning appeals is available on the Planning Practice Guidance website: <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>

The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State 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 the Secretary of State.

### **Purchase Notices**

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 the owner 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. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part 6 of the Town and Country Planning Act 1990.