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38 Wade Park Avenue
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Peterborough
PE6 8JL

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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 73 MODIFICATION

Reference: H14-0259-23 **Date of Decision:** 28th June 2023

Applicant: R Bratley (Quadring) Ltd.
Quadring Eaudyke
Spalding
PE11 4QB

Location: Land South Of Green Lane/ East Of Bacons Lane Pinchbeck Spalding

Description: Proposed Development of 63 houses with vehicular access from Surfleet Road - approved under H14-0137-19. Modification of Conditions 3, 4, 6 & 8 relating to phasing scheme, remediation of contaminated land, construction management plan and foul water

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

1 The development must be begun not later than the expiration of three years beginning with the date of the permission granted under reference H14-0137-19 which was issued on 15th July 2020.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

For H14-0259-23
-Application form
-A1273-10 E
-#581.CCP.03
-Phase 1 Construction Method Statement Submitted 6.6.2023 - Amended 12.6.2023
-Temporary Site Access from Surfleet Road Photo

For H14-0137-19:
-Application Form
-A1273-01A
-Report on an Archaeological Evaluation: Groundworks Archaeology. January 2019
-Ground Investigation Summary and Plan. Grange Geo Consulting Ltd. R18012-DWG1
-Planning Statement. Matrix Planning Ltd. 01 February 2019
-Plan 2 Aerial Plan - Housing Site Features
-45318/04 Topographical Survey
-FLOOD RISK ASSESSMENT FOR AREA 1 Revision B by S M Hemmings dated 02 February 2019
-FLOOD RISK ASSESSMENT FOR AREA 2 by S M Hemmings
-Area 1 and Area 2 DRAINAGE STRATEGY by S M Hemmings - Revision A - 09 July 2019
-Phase 1 Desk Study & Phase 2 Ground Investigation Report (Pages 1-58)
-Appendix A-B (Pages 59-70) - Phase 1 Desk Study & Phase 2 Ground Investigation Report
-Appendix C-D (Pages 71-99) - Phase 1 Desk Study & Phase 2 Ground Investigation Report
-Appendix C-D (Pages 100-148) - Phase 1 Desk Study & Phase 2 Ground Investigation Report
-Appendix C-D (Pages 149-156) - Phase 1 Desk Study & Phase 2 Ground Investigation Report
-Appendix C-D (Pages 157-163) - Phase 1 Desk Study & Phase 2 Ground Investigation Report
-Appendix E-H (Pages 164-281) - Phase 1 Desk Study & Phase 2 Ground Investigation Report
-A1273-11-A A
-A1273-11-D A
-A1273-11-F A
-A1273-11-G A
-A1273-11-H A
-A1273-11-J A
-A1273-11-K A
-A1273-11-L A
-A1273-11-N
-A1273-12-A A
-A1273-12-D A
-A1273-12-F A
-A1273-12-G A
-A1273-12-H A
-A1273-12-J A
-A1273-12-K A
-A1273-12-L A
-A1273-12-N
-A1273-14-F A
-A1273-14-G A
-A1273-14-D A
-A1273-BT
-A1273-12-B B

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-A1273-11-B B
-A1273-12-C A
-A1273-11-C A
-A1273-12-P A
-A1273-11-P A
-A1273-12-Q A
-A1273-11-Q A
-A1273-12-R A
-A1273-11-R A
-Green Lane - Overall summary and review of space standards GS 13.02.20 revised 25.02.20

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

3 No development shall commence on phases 2, 3, 4 or 5 of the development hereby approved, as defined on the Construction Phasing Plan reference #581.CCP.03 until a further detailed phasing scheme for each remaining phase of development beyond Phase 1 has been submitted to and approved in writing by the Local Planning Authority. The phasing shall address the sequence of development necessary to reflect the ground investigations strategy and required remediation for the construction of the dwellings. The development shall be carried out in accordance with the approved details and phasing scheme and retained thereafter.

Reason: To assess and address the extent and required mitigation of pollution beyond phase 1 to ensure a satisfactory development, particularly for the constructed dwellings. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

4 The development hereby permitted shall not be commenced beyond Phase 1 as defined on the Construction Phasing Plan reference #581.CCP.03 until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme, that may provide for the phased implementation of development, shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

i)A site specific ground gas risk assessment, including any further ground gas monitoring deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority.

ii)A written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting Phases 2, 3, 4 and 5 of the site shall be submitted to and approved in writing by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. If during redevelopment contamination not previously considered is identified, then the Local Planning Authority shall be notified formally immediately and no further work shall be carried out until a method statement

detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the Local Planning Authority. This should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework, 2021.

Reason: To assess whether the site beyond Phase 1 is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

5 Prior to the first occupation of each identified phase of development beyond Phase 1, as defined on the Construction Phasing Plan reference #581.CCP.03 as identified two full copies of a full closure report for that phase shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

Reason: To assess whether the site is polluted beyond Phase 1 and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works to phases 2, 3, 4 and 5. This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

6 No development beyond Phase 1, as defined on the Construction Phasing Plan reference #581.CCP.03, including site preparations, demolition or construction activities, shall commence until a site specific Construction Management Plan for each phase of the development (Phases 2, 3, 4 and 5) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Construction Management Plan shall be implemented and adhered to throughout the entire construction period. The completed Construction Management Plan shall address the way in which any impacts associated with the proposed works for each phase, and any cumulative impacts of other nearby construction sites, will be mitigated and managed. The level of detail required in a Construction Management Plan shall depend on the scale and nature of development. The Plan shall address but is not necessarily be restricted to the following matters:

- the proposed working hours
- dust suppression and monitoring measures, on and off site (sensitive receptors)
- a scheme which specifies the provisions to be made for the control of noise emanating from the site.
- arrangements for the disposal of waste generated on site.
- the method of access and routing of vehicles during construction,
- the storage of plant and materials used in construction of the development,
- the provision of wheel washing facilities and other works required to mitigate the impact

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of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- any specific measures or monitoring subsequently identified and approved as necessary following production of the written method statement referred to in relation to condition 4 (ii).
- details of public engagement both prior to and during construction works for phases 2, 3, 4 and 5.

Reason: In the interests of the amenity of local residents and to ensure on-going highway and pedestrian safety. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works beyond Phase 1. This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

7 Before the commencement of the development hereby granted beyond oversite for phases 2, 3, 4 and 5 as defined on the Construction Phasing Plan reference #581.CCP.03, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding and to avoid pollution. This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

8 Before the commencement of the development hereby granted beyond oversite for phases 2, 3, 4 and 5 as defined on the Construction Phasing Plan reference #581.CCP.03, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained and to avoid pollution. This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

9 The water consumption of each dwelling hereby permitted in each phase of development shall not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district. This Condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

10 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment for Area 1 prepared by SM Hemmings dated 02/02/2019 (Revision B) and Flood Risk Assessment for Area 2 prepared by SM

Hemmings dated 02/02/2019, forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before each property is first occupied.

The exact floor levels for each dwelling shall be submitted prior to the relevant phase commencing above oversite, and approved by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Area 1
The ground floor level of each two storey dwelling shall be at a minimum level of 3.85m OD, which is an average of 500mm above existing ground levels. The ground floor level of the bungalows shall be at a minimum level of 3.95m OD, which is an average of 600mm above existing ground levels. The dwellings shall be designed incorporating flood resistant and flood resilient techniques.

Area 2
The ground floor level of each two storey dwelling shall be at a minimum level of 3.95m OD, which is an average of 500mm above existing ground levels. The ground floor level of the bungalows shall be at a minimum level of 4.05m OD, which is an average of 600mm above existing ground levels. All dwellings shall be designed incorporating flood resistant and flood resilient techniques.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding, nor have an overbearing effect on or have a negative impact on the daylight and sunlight of existing neighbouring dwellings. This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

11 Before each dwelling is occupied, the roads and footways providing access to that dwelling, for the whole of its frontage from an existing public highway, shall be constructed to a specification to enable them to be adopted as Public Highway, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling of each phase.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development and that the roads and footways are completed within a reasonable period following completion of the dwellings. This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

12 No dwelling shall be commenced until the construction access as shown on Phase 1 as defined on the Construction Phasing Plan reference #581.CCP.03 has been completed, including from its junction with the public highway, including visibility splays.

The top road surface materials for the construction access shall be a 300mm deep Type 3 sub-base (a crushed granite, or clean crushed concrete). A limestone top road surface will not be used for the construction access.

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Reason: To ensure construction and delivery vehicles, and the vehicles of site personnel may be parked and/or unloaded off the existing highway, in the interests of highway safety and the amenity of neighbouring residents. This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

13 Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved by the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels. This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

14 The refuse and recycling storage facilities as shown on Drawing No A1273-10 E and approved under this Decision Notice, shall be provided before the first occupation of the relevant phase of development and shall thereafter be so maintained.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set. This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019, and the provisions of the National Planning Policy Framework 2021.

15 Before the commencement of the development beyond Phase 1 as defined on the Construction Phasing Plan reference #581.CCP.03 hereby permitted beyond oversite, the approval of the Local Planning Authority is required for a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development, and to make them aware, incorporate and maintain relevant details of the final remediation scheme as approved in relation to condition 4 (ii).

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

16 Prior to the occupation of the dwellings beyond Phase 1 as defined on the Construction Phasing Plan reference #581.CCP.03 hereby permitted beyond oversite, a plan illustrating all areas of publicly accessible open space shall be submitted to and approved in writing by the Local Planning Authority. The areas so approved shall be laid out and made available for use in accordance with a specification and phasing that shall first be agreed in writing by the Local Planning Authority, and shall thereafter be so maintained.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space. This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

17 A management plan for the areas of publicly accessible open space and any outdoor play areas, including management responsibilities, maintenance schedules, and maintenance restrictions arising from remediation measures as approved in relation to condition 4 (ii) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the dwellings. The management of these areas shall be carried out in accordance with the details so approved and retained thereafter for the lifetime of the development.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space. This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

18 Before the commencement of the development hereby permitted beyond Phase 1 as defined on the Construction Phasing Plan reference #581.CCP.03 beyond oversite a schedule of external materials of construction of all buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

19 Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

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20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), none of the following developments or alterations shall be carried out:

i)the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
ii)the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
iii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows.

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, due to the ground gas regime identified and the proposed cover system for the site, levels of residential amenity and the visual amenity and character of the area within which it is set. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no walls, fences or other means of enclosure other than those illustrated on the plans forming part of the application hereby approved shall be erected on the site.

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, due to the ground gas regime identified and the proposed cover system for the site, levels of residential amenity and the visual amenity and character of the area within which it is set. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework 2021.

22 Before the commencement of the development hereby permitted beyond Phase 1 as defined on the Construction Phasing Plan reference #581.CCP.03, details of the precautions to be taken to suppress dust and to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development for Phases 2 to 5 shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before commencement of the construction of Phases 2 to 5 of the and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the development.

Reason: In the interests of highway safety during the construction process. This issue is integral to the development and therefore full details need to be finalised prior to, the commencement of works.
This Condition is imposed in accordance with Policy 3 of the South East Lincolnshire Local Plan, 2019.

23 The development hereby permitted shall not be commenced beyond Phase 1, as defined on the Construction Phasing Plan reference #581.CCP.03 until full details of the existing and proposed site levels of Phases 2 to 5 including proposed floor levels of the buildings,

hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment or remediation measures), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Note: The submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place and to ensure there are no adverse effects upon the amenity to nearby residential properties.

Reason 1: To reduce the risk of flooding of the development and to take account of any enhanced remediation measures that may be required. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

Notes:

Section 106 Agreement
This planning permission is subject to an Agreement under Section 106 of the Town & Country Planning Act 1990 dated 28 June 2023 and can only be implemented as a consequence of meeting the provisions of that Agreement

Gas Protection Measures
You are reminded that part of the remediation for Phases 2 to 5 requires ground gas protection measures. Your Remediation Method Statement must include sufficient detail of the proposed design including, but not limited to, the proposed membrane choice and its detailed specification and site specific plans and details to clearly show where the measures will be installed and relate to the foundations and building design. Any modification to ensure compliance with condition 10 (flood resistant and resilient construction) will need to be clearly specified, and risk assessed if necessary.

Highways Information
All roads within the development hereby permitted must be constructed to an engineering standard equivalent to that of adoptable highways. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. In all cases, the developer is advised to undertake early discussions with statutory undertakers to co-ordinate the laying of utility services under the highway.

Internal Drainage Board Comments
Your attention is drawn to the attached letter from Welland and Deepings Internal

Drainage Board dated 11 Dec 2019. You are advised of the need to comply with the requirements of the Drainage Board, which are covered by their own Bye-laws. You are further advised that any future amendments to this application and/or compliance with conditions must also respect those Bye-laws. Please contact the Drainage Board directly for further information.

Protected Species

The applicant is reminded that it is an offence under the wildlife and Countryside Act, 1981 (as amended) to kill, injure, or take (handle) any protected species occupying a place of shelter or protection and also to take, damage or destroy the nest of any wild bird while that nest is in use or being built. If evidence of bats is found before or whilst the work is carried out you are advised to contact Natural England at their Lincoln office (telephone 03000 603900).

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch



Phil Norman
Head of Planning
South Holland District Council

BUILDING REGULATIONS:

This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice** OR **the timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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 the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant 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 can he 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 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 the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.