ADUR DISTRICT COUNCIL

Mrs Laura Jackson
Persimmon Homes Thames Valley
Persimmon House
Knoll Road
Camberley
GU15 3TQ

# APPROVAL OF RESERVED MATTERS

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015**

## APPLICATION NUMBER: AWDM/1322/24

In pursuance of their powers under the above-mentioned Act and Order for the reason stated hereunder the Council hereby notify their APPROVAL of the following application comprising:

Details of Development
**APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR PHASE 2 FOLLOWING HYBRID PLANNING PERMISSION AWDM/0323/19. DETAILS REGARDING THE SCALE, LAYOUT, APPEARANCE, ACCESS AND LANDSCAPING FOR THE ERECTION OF 91 DWELLINGS (INCLUDING 30% AFFORDABLE HOUSING), A POCKET PARK, CAR PARKING, A PUMPING STATION, A COMMUNITY ORCHARD AND COMMUNITY STORAGE AND WELFARE BUILDING (PHASE 2 RELATES TO LAND WEST OF DANKTON LANE AND NORTH OF WEST STREET).**

Location of Development
**LAND SOUTH OF WEST STREET AND WEST OF LOOSE LANE SOMPTING WEST SUSSEX**

being matters reserved for the subsequent approval of the Local Planning Authority in the permission granted in response to Outline Application No. AWDM/0323/19subject to compliance with the additional conditions specified hereunder.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

G Peck

Gary Peck
Head of Planning & Development
27/10/2025

Adur & Worthing Councils, Development Management, Place Directorate,
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

## SCHEDULE

**Conditions**

01. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice.

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| PLANNING LAYOUT | 611_PL_01_Ph2 D | 28.03.2025 |
| MASTERPLAN | 611_PL_002_Ph2 C | 28.03.2025 |
| MATERIALS PLAN | 611_PL_08_Ph2 A | 28.03.2025 |
| EXTERNAL WORKS PLAN | 611_PL_10_Ph2 B | 28.03.2025 |
| THE BARNDALE DETACHED - ELEVATIONS | 611_PL_Ph2_Be_03 A | 28.03.2025 |
| THE DALLINGTON END - ELEVATIONS | 611_PL_Ph2_Dg_03 A | 28.03.2025 |
| TERRACE UNITS PLAN | 611_PL_13_Ph2 | 28.03.2025 |
| COMMUNITY ORCHARD PROPOSALS 1of3 | CSA/2134/146 E | 28.03.2025 |
| COMMUNITY ORCHARD PROPOSALS 2of3 | CSA/2134/147 E | 28.03.2025 |
| COMMUNITY ORCHARD PROPOSALS 3of3 | CSA/2134/148 E | 28.03.2025 |
| SOFT LANDSCAPE PROPOSALS 1of2 | CSA/2134/149 A | 28.03.2025 |
| SOFT LANDSCAPE PROPOSALS 2of2 | CSA/2134/150 B | 28.03.2025 |
| TREE PROTECTION PLAN | KC-Ph2-YTREE-TPP01 RevA | 09.05.2025 |
| SINGLE GARAGE 1 - PLAN & ELEVATIONS | 611_PL_Ph2_Gar_1_01 | 23.10.2024 |
| SINGLE GARAGE 2 PLAN & ELEVATIONS | 611_PL_Ph2_Gar_2_02 | 23.10.2024 |
| TWIN GARAGE - PLAN & ELEVATIONS | 611_PL_Ph2_Gar_3_03 | 23.10.2024 |
| DOUBLE GARAGE - PLAN & ELEVATIONS | 611_PL_Ph2_Gar_3_04 | 23.10.2024 |
| SUB STATION - PLAN & ELEVATIONS | 611_PL_Ph2_SUB_01 | 23.10.2024 |
| CGI VIEW 1 PLOTS 50-55, 61-66 | 611_PL_PH2_VIEW_01 | 23.10.2024 |
| CGI VIEW 2 PLOTS 36-40, 57-60 | 611_PL_PH2_VIEW_02 | 23.10.2024 |
| CGI VIEW 3 PLOTS 3-10, 84-85 | 611_PL_PH2_VIEW_03 | 23.10.2024 |

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| SCREEN WALL PLAN & ELEVATIONS | 611_PL_Ph2_WALL_01 | 23.10.2024 |
| STREETSCENE A | 611_PL_SSA_Ph2 | 23.10.2024 |
| ECOLOGICAL MITIGATION & ENHANCEMENT PLAN (Ph2) | CSA/2134/158 C | 23.10.2024 |
| TREE CONSTRAINTS PLAN | KC-Ph2-YTREE-TCP01 Rev0 | 23.10.2024 |
| ARBORICULTURAL METHOD STATEMENT August 2024 | YTREE-Methodstatement A | 23.10.2024 |
| TREE SURVEY & IMPACT ASSESSMENT August 2024 | YTREE-Survey&IA Rev 0 | 23.10.2024 |
| ECOLOGICAL MITIGATION & ENHANCEMENT STRATEGY Oct 2024 | CSA/2134/13/F | 23.10.2024 |
| PARKING STRATEGY | 611_PL_05_Ph2 B | 24.01.2025 |
| DESIGN & ACCESS STATEMENT | September 2024 | 23.10.2024 |
| ENERGY & SUSTAINABILITY STATEMENT SEC/dc/ss/ESS/3719/- | September 2024 | 23.10.2024 |
| LIGHTING IMPACT ASSESSMENT September 2024 | 27141-LIGH-0402 Rev B | 23.10.2024 |
| MATERIALS PALETTE | Phase 2 | 23.10.2024 |
| ENV NOISE IMPACT ASSESSMENT | SA-7134/Rev5 | 23.10.2024 |
| PLANNING STATEMENT | August 2024 | 23.10.2024 |
| S38 LIGHTING CALCULATIONS | 27141-CALC-0201 Rev B | 23.10.2024 |
| S38 LIGHTING LAYOUT | 601_27141_02_100_02 C | 23.10.2024 |
| STATEMENT OF COMMUNITY INVOLVEMENT | August 2024 | 23.10.2024 |
| PHASE 2 SURFACE WATER MAINT & MANAGEMENT PLAN | June 2024 | 23.10.2024 |
| SWMMP APPENDIX A | 601-190-214 P03 | 23.10.2024 |
| SWMMP APPENDIX B | DOWNSTREAM DEFENDER | 23.10.2024 |
| SWMMP APPENDIX B | WAVIN AQUACELL ECO | 23.10.2024 |
| SWMMP APPENDIX B | WAVIN AQUACELL NG | 23.10.2024 |
| DRAINAGE STRATEGY App A SITE LAYOUT | 22065-SK01 P02 | 23.10.2024 |

**Ref: AWDM/1322/24**

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| DRAINAGE STRATEGY App B | REC GI Plan&Soil Records | 23.10.2024 |
| DRAINAGE STRATEGY App C | REC Infiltration | 23.10.2024 |
| DRAINAGE STRATEGY App D | IBEX Letter Report | 23.10.2024 |
| DRAINAGE STRATEGY App E | Grnd Water Monitori | 23.10.2024 |
| DRAINAGE STRATEGY App F | Southern Water Records | 23.10.2024 |
| DRAINAGE STRATEGY App G | Porous Paving | 23.10.2024 |
| DRAINAGE STRATEGY App H | Phase 2 Soakaway Example | 23.10.2024 |
| DRAINAGE STRATEGY App I | Drainage Calcs | 23.10.2024 |
| DRAINAGE STRATEGY App J | Drainage Strategy 1-4 | 23.10.2024 |
| DRAINAGE STRATEGY App J | Drainage Strategy 5-7 | 23.10.2024 |
| PHASE 2 DRAINAGE STRATEGY 1of3 | 160-190-201 P06 | 23.10.2024 |
| PHASE 2 DRAINAGE STRATEGY 2of3 | 160-190-202 P06 | 23.10.2024 |
| PHASE 2 DRAINAGE STRATEGY 3of3 | 160-190-203 P07 | 23.10.2024 |
| PHASE 2 DRAINAGE STRATEGY SITE LAYOUT | 160-190-204 P07 | 23.10.2024 |
| PHASE 2 DRAINAGE STRATEGY CATCHMENT AREAS | 160-190-205 P04 | 23.10.2024 |
| PHASE 2 IMPERMEABLE/PERMEABLE AREAS | 160-190-213 P04 | 23.10.2024 |
| PHASE 2 EXTERNAL WORKS | 601-150-201 P03 | 23.10.2024 |
| PHASE 2 EXTERNAL WORKS | 601-150-202 P03 | 23.10.2024 |
| PHASE 2 EXTERNAL WORKS | 601-150-203 P03 | 23.10.2024 |
| PHASE 2 DRAINAGE MAINTENANCE RESPONSIBILITIES PLAN | 160-190-214 P03 | 23.10.2024 |
| PHASE 2 DRAINAGE STRATEGY REPORT | September 2024 | 23.10.2024 |
| REFUSE VEHICLE SWEPT PATH (ARRIVING) | 601-190-206 P03 | 23.10.2024 |
| REFUSE VEHICLE SWEPT PATH (DEPARTING) | 601-190-207 P03 | 23.10.2024 |
| FIRE TENDER SWEPT PATH (ARRIVING) | 601-190-208 P03 | 23.10.2024 |
| FIRE TENDER SWEPT PATH (DEPARTING) | 601-190-209 P03 | 23.10.2024 |

**Ref: AWDM/1322/24**

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| TANKER SWEPT PATH | 601-190-211 P03 | 23.10.2024 |
| VISIBILITY | 601-190-212 P03 | 23.10.2024 |
| BOARD AND BATTEN FENCE | 611-FEN-304-06 | 23.10.2024 |
| LOCATION PLAN | 611_PL_001_Ph2 | 23.10.2024 |
| TENURE PLAN | 611_PL_02_Ph2 | 23.10.2024 |
| STOREY HEIGHTS | 611_PL_03_Ph2 | 23.10.2024 |
| UNIT TYPE PLAN | 611_PL_04_Ph2 | 23.10.2024 |
| PARKING STRATEGY PLAN | 611_PL_05_Ph2 | 23.10.2024 |
| GARDEN AREAS PLAN | 611_PL_06_Ph2 | 23.10.2024 |
| FIRE-REFUSE STRATEGY PLAN | 611_PL_07_Ph2 | 23.10.2024 |
| MOVEMENT PLAN | 611_PL_09_Ph2 | 23.10.2024 |
| CHARACTER AREAS PLAN | 611_PL_11_Ph2 | 23.10.2024 |
| ENERGY STRATEGY PLAN | 611_PL_12_Ph2 | 23.10.2024 |
| THE MAISONETTE DET - PLANS | 611_PL_Ph2_MaS_01 | 23.10.2024 |
| THE MAISONETTE DET - COMPLIANCE | 611_PL_Ph2_MaS_02 | 23.10.2024 |
| THE MAISONETTE DET - ELEVATIONS | 611_PL_Ph2_MaS_03 | 23.10.2024 |
| THE MAISONETTE END - PLANS | 611_PL_Ph2_MaS_04 | 23.10.2024 |
| THE MAISONETTE END - COMPLIANCE | 611_PL_Ph2_MaS_05 | 23.10.2024 |
| THE MAISONETTE END - ELEVATIONS | 611_PL_Ph2_MaS_06 | 23.10.2024 |
| THE MAISONETTE DET - PLANS | 611_PL_Ph2_MaS_07 | 23.10.2024 |
| THE MAISONETTE DET - COMPLIANCE | 611_PL_Ph2_MaS_08 | 23.10.2024 |
| THE MAISONETTE DET - ELEVATIONS | 611_PL_Ph2_MaS_09 | 23.10.2024 |
| THE WAREHAM END - PLANS | 611_PL_Ph2_Wa_01 | 23.10.2024 |
| THE WAREHAM END - COMPLIANCE | 611_PL_Ph2_Wa_02 | 23.10.2024 |
| THE WAREHAM END - ELEVATIONS | 611_PL_Ph2_Wa_03 | 23.10.2024 |

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| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| THE WAREHAM END - ELEVATIONS | 611_PL_Ph2_Wa_04 | 23.10.2024 |
| THE WAREHAM END - ELEVATIONS | 611_PL_Ph2_Wa_05 | 23.10.2024 |
| THE WAREHAM MID - PLANS | 611_PL_Ph2_Wa_08 | 23.10.2024 |
| THE WAREHAM MID - COMPLIANCE | 611_PL_Ph2_Wa_09 | 23.10.2024 |
| THE WAREHAM MID - ELEVATIONS | 611_PL_Ph2_Wa_10 | 23.10.2024 |
| THE DALLINGTON END - PLANS | 611_PL_Ph2_Dg_01 | 23.10.2024 |
| THE DALLINGTON END - COMPLIANCE | 611_PL_Ph2_Dg_02 | 23.10.2024 |
| THE DALLINGTON END - ELEVATIONS | 611_PL_Ph2_Dg_04 | 23.10.2024 |
| THE DALLINGTON END - PLANS | 611_PL_Ph2_Dg_05 | 23.10.2024 |
| THE DALLINGTON END - COMPLIANCE | 611_PL_Ph2_Dg_06 | 23.10.2024 |
| THE DALLINGTON END - ELEVATIONS | 611_PL_Ph2_Dg_07 | 23.10.2024 |
| THE MAISONETTE END - PLANS | 611_PL_Ph2_MaS_10 | 23.10.2024 |
| THE MAISONETTE END - COMPLIANCE | 611_PL_Ph2_MaS_11 | 23.10.2024 |
| THE MAISONETTE END - ELEVATIONS | 611_PL_Ph2_MaS_12 | 23.10.2024 |
| THE HEARTWOOD DETACHED - PLANS | 611_PL_Ph2_He_01 | 23.10.2024 |
| THE HEARTWOOD DETACHED - COMPLIANCE | 611_PL_Ph2_He_02 | 23.10.2024 |
| THE HEARTWOOD DETACHED - ELEVATIONS | 611_PL_Ph2_He_03 | 23.10.2024 |
| TYPE A END - PLANS | 611_PL_Ph2_A_01 | 23.10.2024 |
| TYPE A END - COMPLIANCE | 611_PL_Ph2_A_02 | 23.10.2024 |
| TYPE A END - ELEVATIONS | 611_PL_Ph2_A_03 | 23.10.2024 |
| TYPE A END - ELEVATIONS | 611_PL_Ph2_A_04 | 23.10.2024 |
| TYPE A END - ELEVATIONS | 611_PL_Ph2_A_05 | 23.10.2024 |
| TYPE A END - ELEVATIONS | 611_PL_Ph2_A_06 | 23.10.2024 |
| TYPE A MID - PLANS | 611_PL-Ph2-A_07 | 23.10.2024 |
| TYPE A MID - COMPLIANCE | 611_PL-Ph2-A_08 | 23.10.2024 |

**Ref: AWDM/1322/24**

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| TYPE A MID - ELEVATIONS | 611_PL-Ph2-A_09 | 23.10.2024 |
| TYPE A MID - ELEVATIONS | 611_PL-Ph2-A_10 | 23.10.2024 |
| THE GALLOWAY END - PLANS | 611_PL_Ph2_Ga_01 | 23.10.2024 |
| THE GALLOWAY END - COMPLIANCE | 611_PL_Ph2_Ga_02 | 23.10.2024 |
| THE GALLOWAY END - ELEVATIONS | 611_PL_Ph2_Ga_03 | 23.10.2024 |
| THE GALLOWAY END - ELEVATIONS | 611_PL_Ph2_Ga_04 | 23.10.2024 |
| THE SHERWOOD END - PLANS | 611_PL_Ph2_Sh-01 | 23.10.2024 |
| THE SHERWOOD END - COMPLIANCE | 611_PL_Ph2_Sh-02 | 23.10.2024 |
| THE SHERWOOD END - ELEVATIONS | 611_PL_Ph2_Sh-03 | 23.10.2024 |
| THE SHERWOOD END - ELEVATIONS | 611_PL_Ph2_Sh-04 | 23.10.2024 |
| TYPE C END - PLANS | 611_PL_Ph2_C_01 | 23.10.2024 |
| TYPE C END - COMPLIANCE | 611_PL_Ph2_C_02 | 23.10.2024 |
| TYPE C END - ELEVATIONS | 611_PL_Ph2_C_03 | 23.10.2024 |
| THE BARNDALE DETACHED - PLANS | 611_PL_Ph2_Be_01 | 23.10.2024 |
| THE BARNDALE DETACHED - COMPLIANCE | 611_PL_Ph2_Be_02 | 23.10.2024 |
| THE BARNDALE DETACHED - ELEVATIONS | 611_PL_Ph2_Be_04 | 23.10.2024 |
| THE BARNDALE DETACHED - ELEVATIONS | 611_PL_Ph2_Be_05 | 23.10.2024 |
| THE BARNDALE DETACHED - ELEVATIONS | 611_PL_Ph2_Be_06 | 23.10.2024 |
| THE BRAMPTON DETACHED - PLANS | 611_PL_Ph2_Bt_01 | 23.10.2024 |
| THE BRAMPTON DETACHED - COMPLIANCE | 611_PL_Ph2_Bt_02 | 23.10.2024 |
| THE BRAMPTON DETACHED - ELEVATIONS | 611_PL_Ph2_Bt_03 | 23.10.2024 |
| THE BRAMPTON DETACHED - ELEVATIONS | 611_PL_Ph2_Bt_04 | 23.10.2024 |
| THE GREENWOOD DETACHED - PLANS | 611_PL_Ph2_Gw_01 | 23.10.2024 |
| THE GREENWOOD DETACHED - COMPLIANCE | 611_PL_Ph2_Gw_02 | 23.10.2024 |
| THE GREENWOOD DETACHED - ELEVATIONS | 611_PL_Ph2_Gw_03 | 23.10.2024 |

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| THE GREENWOOD DETACHED - ELEVATIONS | 611_PL_Ph2_Gw_04 | 23.10.2024 |
| THE KNEBWORTH END - PLANS | 611_PL_Ph2_Kn_01 | 23.10.2024 |
| THE KNEBWORTH END - COMPLIANCE | 611_PL_Ph2_Kn_02 | 23.10.2024 |
| THE KNEBWORTH END - ELEVATIONS | 611_PL_Ph2_Kn_03 | 23.10.2024 |
| WELFARE UNIT PLAN + ELEVATIONS | 611_PL_Ph2_ComWU_01 A | 23.10.2024 |
| CYCLE SHED - PLANS & ELEVATIONS | 611_PL_Ph2_CS_01 | 23.10.2024 |

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

02. Prior to the commencement of the development details showing the proposed location of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. Prior to the first occupation of a dwelling or a phase of dwellings forming part of the proposed development the required fire hydrants (or in a phased programme if a large development) shall be installed in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting. Prior to the first occupation of a dwelling or a phase of dwellings forming part of the proposed development West Sussex County Council's Fire and Rescue Service shall be notified by the applicant that the fire hydrant(s) have been installed and are operational, to ensure that the Fire and Rescue Service are aware that the hydrant(s) is now a usable asset in the event of a fire.
The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

**Reason**: *To ensure that all dwellings on the proposed site are within 150 metres of a fire hydrant for the supply of water for firefighting and having regard to policy 29 of the Adur Local Plan.*

03. No development within Phase 2 shall commence, other than works of site survey and investigation, until full details of the number and location of PV panels and ASHPs (including details of the type and noise levels of ASHPs), have been submitted to and approved in writing by the Local Planning Authority. The PV panels and ASHPs shall be installed and operational for each dwelling prior to its occupation.

**Reason**: *To ensure that the development is sustainable and energy efficient having regard to policies 18 and 19 of the Adur Local Plan.*

04. The windows in the south side elevation of Plot 1 shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and it shall not subsequently be altered in any way. Obscured glass shall be not less than Level 3. No windows or other openings other than those hereby approved shall be formed in the south side elevation of Plot 1 thereafter.

**Reason**: *To prevent overlooking and to comply with policy 15 of the Adur Local Plan.*

05. The garages within Phase 2 shall be used only as private domestic garages for parking vehicles incidental to the use of the properties as dwellings and for no other purposes.

**Reason**: *In the interests of amenity and highway safety and having regard to policies 15 and 28 of the Adur Local Plan.*

06. The welfare and storage building hereby approved shall only be used as such in connection with the community orchard and for no other purpose.

**Reason**: *In the interest of amenity having regard to policies 13 and 15 of the Adur Local Plan.*

07. No development within Phase 2, including site works of any description, shall take place on the site unless and until all the existing trees and hedges identified for retention on the Tree Protection Plan 2246-KC-Ph2-YTREE-TPP01 Rev A have been protected in accordance with the Arboricultural Method Statement by Keen Consultants. Within the areas so protected the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon or bonfires take place without he prior written approval of the Local Planning Authority. If any excavations are required in the fenced off areas they shall be undertaken and backfilled only by hand and any tree roots encountered with a diameter of 25 mm or more shall be left un-severed.

**Reason**: *To protect the trees from damage and to comply with policies 15 and 30 of the Adur Local Plan.*

08. Forward visibilities at the bends within the estate roads of Phase 2 shall be provided in accordance with a 20mph design speed and thereafter they shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

**Reason**: *In the interests of highway safety having regard to policy 28 of the Adur Local Plan.*

**Informatives / Notes to Applicant**

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) 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, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**Ref: AWDM/1322/24**

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015**

**YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT**

**Appeals to the Secretary of State**

1. 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.

2. If you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000).

3. 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.

4. 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.

5. 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.

6. 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@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

**Purchase Notices**

7. 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.

8. In these circumstances, the owner may serve a purchase notice on the District 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 Part VI of the Town and Planning Act 1990.

9. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

10. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.

**Reduced time for making a planning appeal where enforcement action is being taken**

Where an enforcement notice has been served in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).