ADUR DISTRICT COUNCIL

Mr Peter Rainier
DMH Stallard
Griffin House
135 High Street
Crawley
RH10 1DQ

# PLANNING PERMISSION

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015**

## APPLICATION NUMBER: AWDM/1906/20

Details of Development
**HIGHWAY WORKS COMPRISING; (1) CONSTRUCTION OF A HIGHWAY (A FOURTH ARM) FROM THE APPROVED NEW MONKS FARM A27 ROUNDABOUT TO COOMBES ROAD (WEST) ALONG WITH ASSOCIATED HARD AND SOFT LANDSCAPING, AND; (2) CLOSURE OF THE EXISTING COOMBES ROAD (EAST) JUNCTION WITH THE A27 AND ITS REPLACEMENT WITH LANDSCAPING. THE APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT.**

Location of Development
**LAND AND NEW ROUNDABOUT NORTHERN BOUNDARY OF A27 TO EAST AND WEST OF COOMBES ROAD OLD SHOREHAM ROAD LANCING WEST SUSSEX**

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 16th November 2020.

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

GPeck

Gary Peck
Planning Services Manager
29/10/2021

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
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:-

| Plan Type | Reference | Version | Date on Plan | Status |
|---|---|---|---|---|
| Plans - Location Plan | HED-1172-LA-700 | P03 | 07.05.2021 | Approved |
| Plans - Illustrative Masterplan | HED-1172-LA-701 | P05 | 07.05.2021 | Approved |
| Plans - General Arrangement Plan | HED-1172-LA-702 | P06 | 07.05.2021 | Approved |
| Plans - Illustrative site section | HED-1172-LA-703 | P03 | 07.05.2021 | Approved |
| Plans - Tree Removal Plan | HED-1172-LA-704 REV 3 | P05 | 07.05.2021 | Approved |
| Reports - Updated HED Ecosystems Services Statement | HED Ecosystems Services Statement | P01 | 07.05.2021 | Approved |
| Reports - The Ecology Partnership Badger Monitoring Report 2020 | The Ecology Partnership Badger Monitoring Report 2020 | | 16.11.2020 | Approved |
| Reports - PCA Heritage, Heritage Statement | Heritage Statement | 10007/R10 | 16.11.2020 | Approved |
| Reports - Planning Supporting Statement, DMH Stallard | Planning Statement | | 16.11.2020 | Approved |
| Reports - Preliminary Ecological Appraisal, The Ecology Partnership | Preliminary Ecological Appraisal | | 16.11.2020 | Approved |
| Reports - The Ecology Partnership, Reptile Survey 2020 (dated September 2020) | Reptile Survey 2020 | | 16.11.2020 | Approved |
| Reports - Transport Statement, Vectos | Transport Assessment | VN201557 | 16.11.2020 | Approved |
| Plans - Additional Habitat Enhancement and Creation | HED-1172-LA-705 | | 22.07.2021 | Approved |
| | | | | |

| | | | | |
|---|---|---|---|---|
| Reports - HED Landscape Design & Access Statement | Landscape Design & Access Statement | P06 | 07.05.2021 | Approved |
| Reports - Tree Survey Report | CAB10664FA VI | | 16.11.2020 | Approved |
| Reports - Heritage Statement | 10007/R10 | | 16.11.2020 | Approved |
| Reports - CEP Flood Risk Assessment V1.2 (dated 17/5/21) | Flood Risk Assessment | v1.2 | 17.05.2021 | Approved |
| Plans - Swept Path Analysis | VN201557_TR -06 | | 09.07.2021 | Approved |
| Plans - Road Improvements, Development Access & Sussex Pad | VN201557/PL-03 | J | 02.06.2021 | Approved |
| Reports - DMH Stallard, Environmental Statement Vol 4 Non-Technical Summary | ES Non-Technical Summary Vol 4 | | 16.11.2020 | Approved |
| Reports - HED ES Chapter 11 Landscape and Visual Addendum | ES Chapter 11 | HED 1172 P00 | 01.04.2021 | Approved |
| Reports - HED Ecosystems Services Statement | HED-1172-LA-912 | P01 | 07.05.2021 | Approved |
| Reports - The Ecology Partnership Updated Reptile Mitigation Strategy (letter) | Updated Reptile Mitigation Strategy | | 22.07.2021 | Approved |
| Reports - Vectos, Highway Note 02 | Highways Note 02 | | 07.05.2021 | Approved |
| Reports - Vanguardia, Traffic Vibration Effects Report. | Traffic Vibration Effects Report | | 22.06.2021 | Approved |
| Reports - CEP Technical Note | CEP Technical Note | C23413 | 17.02.2021 | Approved |
| Reports - DMH Stallard, Environmental Statement Vol 1 and Appendices | Environmental Statement and Appendices | | 16.11.2020 | Approved |

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

/Contd …

02. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

**Reason**: *To comply with Section 91 of the Town and Country Planning Act 1990.*

03. No development shall commence until a scheme to deal with contamination of the site and / or controlled water has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall include a report compiled by a competent person which includes a desktop study, site walkover, production of a site conceptual model and a human health and environmental risk assessment.

**Reason**: *In the interests of amenity and to protect the health and future occupiers of the site from any possible effects of land contamination in accordance with local and National policy.*

04. If the Phase 1 report, as required under Condition 1, identifies potential contamination then no development shall commence until a Phase 2 intrusive report has been submitted to and approved in writing by the Local Planning Authority, detailing all investigative works and sampling on site, together with the results of the analysis. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

**Reason**: *In the interests of amenity and to protect the health and future occupiers of the site from any possible effects of land contamination in accordance with local and National policy.*

05. If the Phase 2 report identifies that site remediation is required then no development shall commence until a Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved and any ongoing monitoring shall be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

**Reason**: *In the interests of amenity and to protect the health and future occupiers of the site from any possible effects of land contamination in accordance with local and National policy.*

06. In the event that contamination not previously identified is found at any time when carrying out the approved development then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

/Contd …

**Reason**: *To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works.*

07. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

**Reason**: *The previous use of the proposed development site as a historic landfill presents a medium risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage systems (SuDS). This could pollute controlled waters.*

08. No development approved by this permission shall commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Cellular storage incorporated into the proposed drainage is to be consistent with the design set out in Figure 5.1 of the West Sussex LLFA Policy for the Management of Surface Water. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the Sustainable Urban Drainage scheme (SuDs) Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels will be required to support the design of any SuDS drainage. The carriageway shall not be brought into use until the approved works have been completed. The surface water drainage system shall be retained as approved thereafter. The surface water drainage system shall be maintained in good working order in perpetuity.

**Reason**: *To ensure satisfactory surface water drainage.*

09. The development hereby permitted shall not be brought into use until details of the management and maintenance of any parts of the drainage system which will not be adopted (including any ponds, ditches, swales, permeable paving and land drains) has been submitted to and approved in writing by the Local Planning Authority. The submitted details should specify the responsibilities of each party for the implementation of the Sustainable Urban Drainage scheme (SuDs), a timetable for implementation, provide a management plan and maintenance plan for the lifetime of the development which should include arrangements for adoption by any public authority or statutory undertaker and any other arrangement to secure the operation of the scheme throughout its lifetime. The management and maintenance arrangements shall be carried out in accordance with the approved details over the period specified.

**Reason**: *To ensure the efficient maintenance and ongoing operation of the SuDS system and to ensure the best practice in line with the most up-to-date guidance.*

/Contd …

10. No development approved by this permission shall commence until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

    **Reason**: *To ensure a satisfactory form of development and in the interests of adjacent designated sites.*

11. No development hereby permitted shall be carried out until a phasing plan and programme of works which details how the non-motorised user access(es) is to be maintained throughout the construction phase of the development, has been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

    **Reason**: *In the interests of highway safety.*

12. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the construction period unless otherwise agreed in writing with the Local Planning Authority. The Construction Management Plan shall provide details of mitigation measures to manage and avoid impacts to controlled waters, adjacent designated sites, protected species and other important habitats (in accordance with the approved Environmental Statement and its addendums) and include the following matters:

    - An indicative programme for carrying out the works;
    - the anticipated number, frequency and types of vehicles used during construction;
    - the method of access and routing of vehicles during construction;
    - details of the parking of vehicles by site operatives and visitors;
    - details of the location of site office and welfare facilities;
    - details of the loading and unloading of plant, materials and waste;
    - details of the provision of loading/offloading areas;
    - details of the storage of plant and materials used in construction of the development;
    - storage of chemicals and hazardous materials in line with best practice guidance;
    - details of pollution control measures such as the use of petrol/water interceptors and temporary silt traps, to be used where appropriate to minimise the risk of polluted surface water runoff entering on site ditch habitats and the potential for loss site habitats;
    - the erection and maintenance of security hoarding;
    - the hours of construction;

/Contd …

- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- measures to minimise the noise (and vibration) generated by the construction process to include hours of work, details of noise mitigation barriers, details of piling including details of the trial piles and recorded vibration impacts;
- details of floodlighting, including location, height, type and direction;
- damping down of dust sources and covering of loose materials to reduce dust disposition within adjacent habitats;
- general house-keeping including removal of litter;
- details of public engagement both prior to and during construction works.

**Reason**: *To enable the Local Planning Authority to control the development in the interest of maintaining a safe and efficient highway network, in the interests of amenity, to conserve and enhance the landscape character and biodiversity of the area and to ensure no adverse impacts on designated sites and protected species.*

13. No development hereby permitted shall commence until plans and particulars specifying the alignment, width, gradient and type of construction proposed for all footways and roads (including all relevant horizontal cross and longitudinal sections) have been submitted to and approved in writing by the Local Planning Authority. The details shall be informed by 'Roads in the South Downs' and also include but not limited to:

- Anti-dazzle measures;
- Measures to avoid 'see-through' at the reordered junction of Coombes Road and The Drive;
- Bollards/street furniture;
- Signage;
- Retaining walls materials and construction details;
- Materials;
- Gateway feature.

**Reason**: *In the interests of amenity and to conserve and enhance the landscape character.*

14. The development hereby permitted (4th Arm of the New Monks Farm Roundabout) as shown on the Vectos drawing No. VN201557/PL-03 Rev J 'Proposed A27 Old Shoreham Road Improvements Development Access & Sussex Pad via Lancing College' (or other such scheme of works as approved by the Local Planning Authority who shall consult Highways England) shall not be brought into use until the Coombes Road junction with the A27 is stopped up to traffic, save for the passage and re-passage of pedestrians, cyclists and horse riders (permitted non-motorised road users).

/Contd …

**Reason**: *To ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

15. Prior to the commencement of the development hereby permitted, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority (who shall consult with Highways England). Thereafter the construction and use of the development shall be in strict accordance with the approved scheme unless otherwise agreed in writing by the local planning authority (who shall consult Highways England). These details shall include:

a) Proposed planting plans including written specifications (including cultivation and other operations associated with plant and grass establishment and maintenance) ; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
b) Details of tree pits;
c) Finished levels and contours;
d) Fencing;
e) Layout of surfaces including materials, permeability, kerbs, edges, steps, ramps.

**Reason**: *Reason: To ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety and to ensure a satisfactory development and in the interests of amenity and landscape character.*

16. All hard and soft landscape works shall be carried out in accordance with the approved details. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. All soft landscaping comprising the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. 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, unless otherwise agreed in writing by the Local Planning Authority.

**Reason**: *To ensure a satisfactory development and in the interests of amenity and landscape character.*

/Contd …

17. The development hereby permitted shall not be brought into use until a landscape and ecological management plan (LEMP), including the management objectives and responsibilities and maintenance schedules for a minimum of five years for all the landscaped areas has be submitted to and approved in writing by the Local Planning Authority The landscape and ecological management plan shall be carried out as approved unless as otherwise as approved by the Local Planning Authority. The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed;
b) Ecological trends and constraints on site that might influence management;
c) Aims and objectives of management;
d) Appropriate management options for achieving aims and objectives;
e) Prescriptions for management actions, together with a plan of management compartments;
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
g) Details of the body or organisation responsible for implementation of the plan;
h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved.

**Reason**: *To ensure a satisfactory development and in the interests of amenity, ecology and landscape character.*

18. Prior to the commencement of the development hereby permitted a full Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority which shall include numbering and detailing trees, confirming root protection areas, routing of service trenches, overhead services and carriageway positions and any details of no dig techniques along with associated use of geotextiles and an indication of the methodology for necessary ground treatments to deal with compacted areas of soil. The works shall be carried out in accordance with Environmental Statement Chapter 10 Ecology and Nature Conservation and 11 Landscape and Visual.

**Reason**: *In the interests of the amenity and the landscape character of the area.*

/Contd …

19. Prior to the commencement of the development hereby permitted details of the protection of the trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. The measures of protection should be in accordance with BS5837:2012 and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the Root Protection zones.

    **Reason**: *In the interests of the amenity and the landscape character of the area.*

20. All planting shall be completed in accordance with standard arboricultural practices In the event that any such trees die or become seriously damaged or diseased within a period of five years following planting they shall be replaced in the next planting season with others of a similar size and species.

    **Reason**: *In the interests of the amenity and the landscape character of the area in accordance with Development and Management Policy SD11.*

21. No part of the development hereby permitted shall be brought into use until a lighting framework has been submitted to and approved in writing by the Local Planning Authority (who shall consult with Highways England). This information shall include a layout plan with beam orientation and schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles) and details of the impact of lighting on driver safety on the A27. The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

    **Reason**: *To ensure that any proposed lighting will not have an adverse impact on driver safety on the A27 Trunk Road and that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, and to enable the Local Planning Authority to control the development in detail in the interests of night time amenity, tranquillity and protect and conserve the International Dark Night Skies.*

22. Prior to commencement of development, an updated survey for badgers should be undertaken to ensure that no new sets are present and the findings of the survey and any additional mitigation measures proposed submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with any additional mitigation measures approved.

    **Reason**: *To identify and ensure the survival and protection of important species.*

**Informatives / Notes to Applicant**

01. Environment Agency: - Dewatering activities from excavations: We note that this proposal may involve temporary discharges of uncontaminated water from excavations to surface water. This activity may require an environmental permit(s) from the Environment Agency.

/Contd …

The Environment Agency have a Regulatory Position Statement on this activity and the Applicant should refer to this for further guidance - https://www.gov.uk/government/publications/temporary-dewatering-from-excavationstosurface- water/temporary-dewatering-from-excavations-to-surface-water.

For enquiries about permits, the Applicant is advised to contact the Environment Agency's National Customer Contact Centre on 03708 506 506

02. Highways: - This development involves work to the public highway (strategic road network and local road network) that can only be undertaken within the scope of a Legal Agreement or Agreements between the applicant and National Highways (as the Strategic Highway Authority appointed by the Secretary of State for Transport) and, as necessary and appropriate, the Local Highway Authority. Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to National Highways). Works to the highway will normally require an agreement or agreements, under Section 278 of the Highways Act, with National Highways and the Local Highway Authority.

Advice on this matter can be obtained from the Spatial Planning Team, National Highways, Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4LZ. Email: planningse@highwaysengland.co.uk , Tel: 0300 123 5000.

It is understood that these works may be delivered as an adjunct to others agreed to form the 3-arm roundabout to serve the New Monks Farm development. It will therefore, either be necessary to amend any current Section 278 agreement or to agree a bespoke Section 278 agreement.

03. Contaminated Land - Ensure that the Phase 1 report is carried out in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

Ensure that any Phase 2 Contamination Report is in accordance with current BS references within the Code of Practice for Investigation of Potentially Contaminated Sites.

Ensure that the report is undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

04. Guidance on Lighting - Guidance on appropriate lighting in the South Downs National Park can be found in the SDNPA's Dark Skies Technical Advice Note (2021), which is available online.

/Contd …

05. The above permission/consent contains pre-commencement conditions which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of the pre-commencement condition have been met. The applicant is advised that a formal consent will need to be made to discharge the details of these conditions. This process may be subject to a fee. Please note that this approval process may take up to 8 weeks from the date of the request.

06. The Environmental Statement has been prepared in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and the application has been assessed in relation to the Environmental Statement, which forms the basis of this decision.

07. In reaching this decision the Local Planning Authority has worked with the applicants in a positive and proactive way, in line with the NPPF. This has included agreeing amendments and enhancements to address issues raised during the processing of the application and addressing concerns from Consultees when necessary.

/Contd …

**Ref: AWDM/1906/20**

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (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 the decision relates to a householder application or minor commercial application, and you want to appeal, then you must do so within 12 weeks of the date of this notice. If the decision relates to express consent for the display of an advertisement, then you must do so within 8 weeks of the date of this notice. If the decision relates to a non-householder application, an appeal must be lodged within 6 months of the date of the decision notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk.

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.

**Purchase Notices**

6. 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 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..

7. 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.

/Contd …

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).