



Application: 20240611

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

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Mr Pierre Denuelle
C/O Miss Joanna Russell, Morris Russell Planning
31 Hilden Park Road
Hildenborough
Tonbridge
Kent
TN11 9BL**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

**Garages Rear Of
2 - 28 Campbell Road
Gravesend
Kent**

and being **Application for variation of condition 2 attached to planning permission reference number 20210232 for the demolition of existing garages and erection of a terrace of five 2-storey houses with landscaping, access, parking, refuse, recycling and cycle storage; to allow replacement of drawings to amend the internal layout, erection of ground floor rear extensions and changes to fenestration.** Your application dated 15th July 2024 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 30th November 2025.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Planning Application Form;
Drawing No. 20240624-PL01-A - As Approved and Proposed Block Plans;
Drawing No. 20240624-PL03 - Proposed Ground Floor Plans;
Drawing No. 20240624-PL04-A - As Approved and Proposed First Floor Plans;
Drawing No. 20240624-PL06-A - As Approved and Proposed Roof Plans;
Drawing No. 20240624-PL07-A - As Approved and Proposed Front Elevations;
Drawing No. 20240624-PL08-A - As Approved and Proposed Rear Elevations;
Drawing No. 20240624-PL09-A - As Approved and Proposed Right Side Elevations;
Drawing No. 20240624-PL10-A - As Approved and Proposed Left Side Elevations;
Drawing No. 20240624-PL11-A - As Approved and Proposed Section A-A;
Drawing No. 20240624-PL12-A - As Approved and Proposed Section A-A; and

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

3. Construction and Contamination

Code of Construction Practice (CoCP)

No works shall commence on site until a comprehensive Code of Construction Practice/Construction Management Plan covering all environmental impacts of this development has been submitted to and approved in writing by the Local Planning Authority.

The Code of Construction Practice/Construction Management Plan shall include details, where relevant, of the following, including any other measures deemed reasonably necessary:

- (a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery
- (b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery
- (c) A Construction Traffic Management Plan covering:
 - Details of numbers and routeing of construction and delivery vehicles to / from site
 - Timing of deliveries
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - Type and location of wheel washing and chassis cleaning facilities
 - Temporary traffic management / signage
- (d) Details of the location of the proposed construction compound
- (e) Details of security fencing and other site security measures
- (f) Details of stockpile areas for building materials or for fill or removed topsoil
- (g) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage
- (h) Ecological mitigation measures
- (i) Measures to be undertaken to protect any public sewers and water apparatus
- (j) Details of vibration monitoring and mitigation during any necessary piling works
- (k) Details of the location, form and visual appearance of any site hoardings along road frontages and footpaths
- (l) Details of temporary construction or security lighting; and
- (m) Monitoring and review provisions with the Local Planning Authority.

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason: To ensure that construction of the development does not result in avoidable congestion on the local highway network, and to protect the amenity of local residents and businesses and protected species and to mitigate the risks to groundwater, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS11 (Transport), CS12 (Green Infrastructure) and CS19 (Development and Design Principles).

4. Hours of Construction

No construction activities in connection with the development of the site including any preparatory earthworks or demolition works shall take place on site except between the following times:

07.30 a.m. and 6.00 p.m. on Weekdays
08.00 a.m. and 1.00 p.m. on Saturdays

No construction activities shall take place at any other time including Sundays, Bank or Public Holidays, without the prior approval of the Local Planning Authority having first been obtained.

Reason: In the interests of residential amenity and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

5. Contaminated Land - Desk Study Report

The development of the site as hereby permitted shall be carried out in full accordance with the findings and recommendations of the Phase 2 Report on Subsoil Investigations by R Carr Geotechnical Services, Ref 3767/20, March 2020 including the recommendations for extending all foundations into the weathered or intact chalk below any made ground, remediation within the proposed gardens due to elevated concentrations of lead, excavation of fill material from areas of proposed garden and importation of subsoil/topsoil that has been independently tested, protection for the principal aquifer and removal and disposal by an experienced contractor of any asbestos-containing materials found to be present within the existing structures.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework (2021) and to accord with Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

6. Unsuspected Contamination - Watching Brief

If, during development, 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework (NPPF), 2021.

7. Closure Report

Before first occupation of the development, a closure report must be submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework (2021) and to accord with

8. Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework (NPPF) 2021.

9. Drainage

Infiltration of Surface Water Drainage

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework (NPPF) 2021.

10. Foul Drainage

The dwellings hereby permitted must be connected to suitable mains drainage and a copy of the permission from Southern Water to connect to the mains is provided to the Local Planning Authority.

Reason: To ensure that an acceptable means of foul disposal for the development is agreed with the sewerage undertaker and in accordance with Policy CS18 of Gravesham Core Strategy Gravesham Local Plan Core Strategy (September 2014) and Section 94 of the Water Industries Act 1991.

11. Archaeology

No development other than demolition to ground level only shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

- i. archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
- ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS19: Development and Design Principles and CS20 (Heritage and the Historic Environment), saved Gravesham Local Plan First Review Policy TC7

and section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (NPPF), 2021.

12. Design and Detailed External Appearance

Submission of Details of Ground Levels and Floor Levels

Notwithstanding the details shown in the approved drawings or other supporting documents no works in connection with the development, other than demolition works, shall commence until full details of any proposed earthworks or changes to ground levels on the site including details of any earth retention measures have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of the development.

Reason: No such details have been submitted and to ensure the development contributes to local character and local visual amenity and protects the privacy and amenity of adjoining premises and pursuant to Policy CS19: Development and Design Principles of the Gravesham Local Core Strategy and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF).

13. Materials

Notwithstanding the details relating to the materials and finishes as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, additional details (and samples where requested by the Local Planning Authority) of all the external facing materials, colours and finishes to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the dwellings hereby permitted are first occupied.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

14. Lighting

Prior to the first occupation of the development hereby approved, details of all proposed external lighting of the site and dwellings shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details before the dwellings are first occupied. No additional lighting shall thereafter be installed on the site of dwellings without the grant of further specific planning permission from the Local Planning Authority.

Reason: In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 Gravesham Local Plan Core Strategy (September 2014) and paragraph 185 of the National Planning Policy Framework (NPPF), 2021.

15. Boundary Treatments

Notwithstanding the details relating to the boundary treatments as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, full details of all boundary treatments, including their design, height and materials, to the dwellings hereby permitted including details of any boundary treatments to the front gardens of the houses or any pedestrian gates to the rear access and also the enclosure to any communal and other areas of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall

thereafter be carried out in full accordance with the approved details before the dwellings hereby permitted are first occupied. Thereafter, and notwithstanding the provisions of Article 3 of and Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to that Class in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no additional gates, fences, walls or other means of enclosure shall be erected on the site without the grant of further specific planning permission from the Local Planning Authority. For the avoidance of doubt the details of the boundary treatments shall take into account the advice and comments of the Designing Out Crime Officer in their consultation response to the Brough Council dated 12 April 2021.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

16. Detailed Energy and Sustainability Statement

Notwithstanding the details shown in the approved drawings or other supporting documents, full details of the sustainability measures to be incorporated in the development hereby permitted (including in terms of renewable and low carbon energy and water supply and efficiency) shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development.

Reason: To ensure that the development of the site promotes sustainability measures, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS18 (Climate Change).

17. Permitted Development Rights - Windows and Obscure Glazing

Notwithstanding the provisions of Article 3, and Part 1 Classes A and G of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to those Classes in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no additional window, door or other form of opening other than those shown on the approved drawings shall be formed in the dwellings hereby permitted at any time. For the avoidance of doubt the first-floor bedroom windows in both the front and rear elevations, as specifically identified on the approved drawings, shall include partial obscure glazing on a 50/50 basis and with full obscured glazing to all bathrooms at all times.

Reason: In the interest of local residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits.

18. Permitted Development Rights - Extensions and Alterations

Notwithstanding the provisions of Article 3 of, and Part 1 Classes A, A-A, B, C and D of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to those Classes in any Order replacing, revoking or re-enacting that Order with or without modification), no enlargement improvement or other alteration of the dwellings hereby permitted, including the construction of an additional storey, an addition or other alteration to the roof of the dwellings or the erection or construction of a porch outside any external door, shall be

constructed without the grant of a further specific planning permission from the Local Planning Authority having first been obtained.

Reason: In the interest of residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits having regard to the limitations of the site.

19. Waste Collection Point Design

Notwithstanding the details shown in the approved drawings and other supporting documents and before any above ground works commence, additional design details of the proposed waste collection point to the site shall be submitted for the approval of the Local Planning Authority; the approved details shall be implemented before the first occupation of any part of the development and thereafter permanently retained.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles and section 12 (Achieving well-designed places) of the NPPF.

20. Vehicle Parking and Vehicle Access

Parking Provision

Prior to the first occupation of the development hereby permitted the vehicle parking areas shall be formed, surfaced, drained and marked out in accordance with the details shown on the approved ground floor layout plan; thereafter, and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas. For the avoidance of doubt all standard car parking spaces are to be a minimum of 5m x 2.5m except where adjacent to a wall etc. when they should be a minimum of 2.7m wide.

Reason: To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994) and the adopted vehicle parking standards (SPG 4).

21. Cycle Parking Provision and Retention

The cycle parking facilities to serve all of the residential units, as shown on the submitted drawings and other accompanying documents, and which shall be secure, weatherproof and well-lit, shall be implemented and made available for such use before the first occupation of the development; thereafter the cycle parking facilities shall be permanently retained.

Reason: To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS19: Development and Design Principles and the adopted vehicle parking standards (SPG 4).

22. Prohibition on Gates

No gates shall be installed across the vehicular access to the site on to Cambell Road or across the access drive serving the development, as hereby permitted, at any time.

Reason: In the interests of highway safety and to avoid vehicles waiting in the road while gates are opened or closed and pursuant to Policy CS11: Transport of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network of the Gravesham Local Plan First Review (November 1994).

23. Electric Vehicle Charging

The development hereby permitted shall include the provision of at least two active electric vehicle charging points for the parking spaces as hereby permitted. The charging points should be able to accommodate a useable supply of 7kW, more under surge conditions; in addition, at least five of the spaces (one per property) shall have passive provision (cabling); such provision shall be implemented prior to the first occupation of any part of the development hereby permitted and thereafter permanently retained and maintained.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS18: Climate Change and Policy CS19: Development and Design Principles, and to avoid the need for extensive cabling works at some point in the future.

24. Hard and Soft Landscaping

Soft Landscaping

Notwithstanding the details as shown in the revised Design and Access Statement and the landscaping scheme therein (April 2022, Rev F) and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following the first occupation of the development. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and type during the next available planting season.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

25. Hard Landscaping and Surface Treatments

Notwithstanding the details relating to the surface treatments as set in the application form, revised Design and Access Statement and the approved drawings, before any above ground works commence, and unless otherwise agreed in writing by the Local Planning Authority, full details of hard landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the dwellings hereby permitted are first occupied. The details shall ensure the suitability of the surface treatments for the vehicle parking and turning areas within the site having regard to the proximity to the adjoining conservation area, and ensure the hard paving with drainage of the proposed rear alleyway with some low-level lighting to make it an attractive option in the dark and inclement weather. For the avoidance of doubt the proposed surface treatments shall ensure the retention of and repairs to the existing granite cobbles at the entrance to the site.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity and highway safety in accordance with Policy CS11 (Transport) and Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network, of the Gravesham Local Plan First Review (November 1994).

26. Ecology and Biodiversity

The biodiversity gains as proposed in the Design and Access Statement and the landscaping scheme therein (April 2022, Rev F) to encourage biodiversity within the area, including bat and bird boxes within the building walls and with log piles and hedgehog highways also located within the site shall be fully implemented prior to the first occupation of the development hereby permitted, and shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

2 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

3 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming> Please submit the application and the requisite fee in accordance with the guidance on the form.

4 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and

that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

5 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2023, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

6 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

Dated: 11 October 2024

Civic Centre
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Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

NOTIFICATION TO APPLICANT

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 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.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>
<https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.