

DPP
Mr Jack Waugh
One Park Row
Leeds
LS1 5HN

Applicant:
Grundon Waste Management
Ltd

PART I - DETAILS OF APPLICATION

Date of Application

24th December 2024

Application No.

24/02808/FULMAJ

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

The proposed creation of an outside storage facility for materials and light fabrication operations (B2/B8) with the erection of an ancillary workshop, wash bay, welfare and office unit

Land East Of and Approximately 200 Metres Along, Pips Way, Beenham, Reading

PART II - DECISION

In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council GRANTS planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with 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/documents:

Location Plan Drawing No P401 Rev J received 24th December 2024;
Proposed Site Plan Drawing No P403 Rev P received 24th December 2024;
Commercial Area: Landscaping/Planting Proposals Drawing No 188-01-D7 received 11th April 2025;
BNG Area Landscaping & Planting Plan Drawing No 188-01-D8 received 11th April 2025;
Proposed Boundary Treatment Plan Drawing No P406 Rev D received 11th April 2025;
Proposed Elevations Office & Welfare Unit Drawing No P200 Rev B received 24th December 2024;
Proposed Elevations Workshop Drawing No P201 Rev C received 4th February 2025;
Proposed Floor & Roof Plans Office & Welfare Units Drawing No P100 Rev D received 24th December 2024;
Proposed Floor & Roof Plans Workshop Drawing No P101 Rev B received 24th December 2024;

Proposed Levels Layout Drawing No 114189.62641-060 received 29th January 2025;

Transport Statement Prepared by Andrew Moseley Associates Report No 20886-003 received 24th December 2024;

Noise Impact Assessment Prepared by Delta Simons reference 101473.628487 received 24th December 2024;

Flood Risk Assessment & Drainage Strategy Prepared by Delta Simons reference 114189.626241 received 24th December 2024;

Preliminary Geo-Environmental Risk Assessment Prepared by Delta Simons reference 101473.627488 received 24th December 2024;

Ecological Impact Assessment Rev A prepared by Enzygo Ltd reference CRM.049.037.EC.R.001 received 29th January 2025;

Lighting Impact Assessment prepared by MEC Consulting Group reference 28829-LIGH-0401 Rev D received 11th April 2025;

Arboricultural Appraisal prepared by DRaW dated December 2024 reference 118-01-R2 received 29th January 2025;

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

3. The materials to be used in the development hereby permitted shall be as specified on the approved plans. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies SP7 and SP8 of the West Berkshire Local Plan Review 2023-2041, and Supplementary Planning Document Quality Design (June 2006).

4. No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December 2018 with particular emphasis on Green SuDS and water re-use and design principles set out in 114189.626241 Flood Risk Assessment and Drainage Strategy, November 2024, Delta Simons.

b) Include full information of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and, where the flows exit the site, both pre-development and post-development information must be provided.

c) Include run-off calculations based on current rainfall data models for the proposed drainage strategy and SuDS measures, allowing for hydraulic connectivity based on a 1 in 100 year storm +25% for climate change with a maximum discharge rate of 4.5l/s.

d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site.

e) Include details of any pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the watercourse.

- f) Show that attenuation storage measures have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level.
- g) Include a standalone management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development. This plan shall incorporate arrangements for adoption by the Council, Water and Sewage Undertaker, Maintenance or Management Company (private company or Trust) or individual property owners, or any other arrangements, including maintenance responsibilities resting with individual property owners, to secure the operation of the sustainable drainage scheme throughout its lifetime. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises.
- h) Include an Application for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc).

The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policies SP6 and ESA4 of the West Berkshire Local Plan Review 2023-2041, Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

5. No machinery and/or industrial processes shall take place outside of the following hours:

Mondays to Fridays: 06:00 to 18:00
Saturdays: 08:30 to 14:30

No industrial processes shall take place on Sundays and Public Holidays, unless otherwise agreed in writing by the Local Planning Authority

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041, and the Quality Design SPD

6. No deliveries shall be taken at or despatched from the site outside the following hours:
Mondays to Fridays: 06:00 to 18:00
Saturdays: 08:30 to 14:00

No deliveries shall be taken or dispatched from the site on Sundays and Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041, and the Quality Design SPD

7. The development shall not be occupied until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- o schedules of plants noting species, plant sizes and proposed numbers/densities
- o an implementation programme providing sufficient specifications to ensure successful cultivation of trees, shrub and grass establishment.

The scheme shall ensure;

a) Completion of the approved landscape scheme within the first planting season following completion of development.

b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF, Policies SP2 SP7, SP8, SP10 and ESA4 of the West Berkshire Local Plan Review 2023-2041, and the Quality Design SPD.

8. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees and hedges to be retained is submitted to and approved in writing by the Local Planning Authority.

Such a scheme shall include:

- o a plan showing the location and type of the protective fencing.
- o All such fencing shall be erected prior to any development works.
- o At least 2 working days notice shall be given to the Local Planning Authority that it has been erected.
- o It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority.
- o No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note 1: The protective fencing should be as specified in the BS5837:2012 at Chapter 6 and detailed in figure 2.

Note 2: Ground Protection shall be as paragraph 6.2.3.3. of the same British Standard.

A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

Reason: Required to safeguard and to enhance its setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF and Policies SP7, SP8, SP10 and ESA4 of the West Berkshire Local Plan Review 2023-2041, and the Quality Design SPD.

9. All the ecological enhancement recommendations in the Ecological Impact Assessment (January 2025, Enzygo Limited) shall be installed before the development in first occupied and shall be permanently retained thereafter. The enhancements should be evidenced by means of photographs of the features in-situ submitted to the local planning authority prior to the first occupation of the site

Reason: To enhance biodiversity in accordance with the National Planning Policy Framework, and Policies SP11 and ESA10 of the West Berkshire Local Plan Review 2023-2041.

10. All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (January 2025, Enzygo Limited), as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policies SP11 and ESA4 of the West Berkshire Local Plan Review 2023-2041.

11. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan (BGP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall be prepared to accompany the Biodiversity Gain Plan, and shall be submitted for approval alongside or after the submission the BGP.

(NOTE: In accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990, this planning permission is subject to the condition ("the biodiversity gain condition") that the development may not be begun unless (a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. This is deemed to be applied by Schedule 7A of the Town and Country Planning Act 1990, and is not replicated on this decision notice. Full details are set out in the informative below.)

The HMMP shall include:

- (1) a non-technical summary;
- (2) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (3) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (4) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (5) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

The details provided in relation to point (5) shall ensure that, as a minimum, monitoring takes place in 2 years, 5 years, 10 years, 15 years, 20 years, 25 years, 30 years following

completion of the development. For the purposes of this condition, completion of development shall be taken as the 'completion of the creation of an outside storage facility for materials and light fabrication operations (B2/B8) with the erection of an ancillary workshop, wash bay, welfare and office unit'.

No occupation shall take place until:

- (6) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- (7) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Notice in writing shall be given to the Council when the:

- (8) HMMP has been implemented; and
- (9) habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Where monitoring identifies the required habitat condition is not being maintained in accordance with the Biodiversity Gain Plan, the submission to the Local Planning Authority shall include any necessary remedial measures, and thereafter any such measures shall be carried out within a timescale agreed with the Local Planning Authority. Supplemental reports may be required pursuant to this condition where necessary.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990. A pre-commencement condition is required because the habitat and management arrangements need to be determined before existing habitats are affected.

12. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- 1. Risk assessment of potentially damaging construction activities.
- 2. Identification of "biodiversity protection zones".
- 3. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- 4. The location and timing of sensitive works to avoid harm to biodiversity features.
- 5. The times during construction when specialist ecologists need to be present on site to oversee works.
- 6. Responsible persons and lines of communication.
- 7. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- 8. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policies SP11 and ESA4 of the West Berkshire Local Plan Review 2023-2041. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction

13. The development shall not be first occupied until vehicle the parking and turning spaces have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces] shall be kept available for parking and manoeuvring of vehicles at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policies SP19 and DM44 of the West Berkshire Local Plan Review 2023-2041.

14. The development shall not be first occupied until the electric vehicle charging points have been provided in accordance with the approved plans. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policies SP19 and DM44 of the West Berkshire Local Plan Review 2023-2041.

15. No goods or equipment or containers shall be stacked or deposited on any open area of the site to a height exceeding 8 metres.

Reason: Required to safeguard and enhance the character and amenity of the area, to protect the setting of North Wessex Down National Landscape and immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the National Planning Policy Framework and Policies SP2, SP7 and SP8 of the West Berkshire Local Plan Review 2023-2041

16. The development shall not be brought into use until CCTV cameras have been installed in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is kept secure and to minimise the risk of crime. This condition is applied in accordance with the NPPF, Policy SP7 of the West Berkshire Local Plan Review 2023-2041.

17. The premises as shown on plan named Proposed Site Plan drawing number P403 rev P received 24th December 2024 shall be used for outside storage, and light fabrication (B2/B8) and for no other purpose, including any other purpose in Classes B2/B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). This restriction shall apply notwithstanding any provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Any other use may not be acceptable on the site. This condition is applied in accordance with the National Planning Policy Framework, Policies SP2 SP7, SP8, SP10, and ESA4 of the West Berkshire Local Plan Review 2023-2041.

18. The workshop, wash bay, welfare and office unit shown on plan named Proposed Site Plan drawing number P403 rev P received 24th December 2024 shall be used solely for purposes ancillary to the primary B2/B8 use of the site.

Reason: Separate uses may not be acceptable on the site in the interests of ensuring a sustainable pattern of development or traffic generation. This condition is imposed in accordance with the National Planning Policy Framework, Policies SP2 SP7, SP8, SP10, and ESA4 of the West Berkshire Local Plan Review 2023-2041.

19. The development hereby permitted shall achieve a rating of "Excellent" under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The development shall not be first occupied until a final certificate has been issued certifying that this rating has been achieved, and a copy of the certificate has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policies SP5, DM4, and ESA4 of the West Berkshire Local Plan Review 2023-2041, and Supplementary Planning Document Quality Design (June 2006).

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.

2. Protected Species

Prior to the commencement of this proposal you are reminded that if there is any evidence of Protected Species on the site you must consider the implications of the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000 and comply with any necessary additional regulations and licences. For example, you must avoid taking, damaging or destroying the nest built or being used or egg of any wild bird as this would be an offence (with certain exceptions). You must also not intentionally or recklessly damage, destroy or block access to any habitat used by a protected species, such as bats, dormice, reptiles or any other species as listed in The Conservation of Habitats and Species Regulations 2010, Schedule 2 European Protected Species of Animals. Any licensing requirements are in addition to the requirements for planning permission and subject to a separate process. The following website gives further advice on this matter www.gov.uk/guidance/wildlife-licences

3. The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, *"Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority"*. This means that a lawful commencement of the approved development cannot be made

until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.

4 BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be West Berkshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS

The following are the statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

IRREPLACEABLE HABITAT

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on

arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

THE EFFECT OF SECTION 73D OF THE TOWN AND COUNTRY PLANNING ACT 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

5 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.

Decision Date :- 25th July 2025

Bob Dray
Development Manager

TOWN AND COUNTRY PLANNING ACT 1990

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

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 you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online via <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.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that 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 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 Country Planning Act 1990.