

PLACE and ENVIRONMENT

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

Applicant:

Torbay Council
FAO Mr Liam Montgomery
Tor Hill House
Union Street
Torquay
TQ2 5QW

Agent:

Architects Design Group
FAO Mr David Applebee
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5 Millbay Road
Plymouth
PL1 3LF

In pursuance of its powers under the above-mentioned Act and Orders, Torbay Council as Local Planning Authority hereby PERMIT:

Redevelopment of redundant shopping centre comprising: Five storey sheltered scheme block of 13 flats, commercial and associated ancillary space. Seven storey extra care scheme of 76 flats, commercial, communal and associated ancillary space.

at The Crossways Shopping Centre Hyde Road Paignton TQ4 5BL

to accord with the application received 31 July 2020 and the plans and particulars submitted.

This permission is subject to the following standard condition:

The development to which this application relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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

Additional Condition(s)

P1. The development hereby permitted shall be carried out in complete accordance with the approved plans listed below:

20659 SD(0)20 - (Version - P7 (Site Plan)) - Date on plan: 30/10/2020 - Proposed Layout received 03.11.2020
034-20 - (Version - (Noise review)) - Date on plan: 02/11/2020 - Supporting Information received 03.11.2020
P2020-0731-2 - (Version - (Parking needs study)) - Date on plan: 18/03/2020 - Supporting Information received 03.11.2020
P2020-0731-4 - (Version - (HRA)) - Date on plan: 07/01/2021 - Additional Information received 14.01.2021
P2020-0731-5 - (Version - (MCZ)) - Date on plan: 07/01/2021 - Additional Information received 14.01.2021
9-9-34 - (Version - C) - Date on plan: 30/07/2020 - Flood Risk Assessment received 31.07.2020
1678 - (Version - (WSI)) - Date on plan: 01/08/2020 - Archaeological Assessment received 20.10.2020
20659 SD(0)21 - (Version - P4 (GF)) - Date on plan: 31/07/2020 - Proposed Internal received 31.07.2020
20659 SD(0)22 - (Version - P4 (1st)) - Date on plan: 31/07/2020 - Proposed Internal received 31.07.2020
20659 SD(0)23 - (Version - P4 (2nd)) - Date on plan: 31/07/2020 - Proposed Internal received 31.07.2020
20659 SD(0)24 - (Version - P4 (3rd)) - Date on plan: 31/07/2020 - Proposed Internal received 31.07.2020
20659 SD(0)25 - (Version - P4 (4th)) - Date on plan: 31/07/2020 - Proposed Internal received 31.07.2020
20659 SD(0)26 - (Version - P4 (5th & 6th)) - Date on plan: 31/07/2020 - Proposed Internal received 31.07.2020
20659 SD(0)27 - (Version - P4 (Roof)) - Date on plan: 31/07/2020 - Proposed External received 31.07.2020
20659 SD(0)30 - (Version - P4 (E & W)) - Date on plan: 31/07/2020 - Proposed Elevations received 31.07.2020
20659 SD(0)31 - (Version - P4 (N & S)) - Date on plan: 31/07/2020 - Proposed Elevations received 31.07.2020
20659 SD(0)32 - (Version - P1 (Home Zone)) - Date on plan: 31/07/2020 - Proposed Elevations received 31.07.2020
20659 SD(0)40 - (Version - P4) - Date on plan: 31/07/2020 - Proposed Sections received 31.07.2020
20659 SD(0)60 - (Version - (3D Site View)) - Date on plan: 01/07/2020 - Proposed External received 31.07.2020
20659 SD(0)61 - (Version - (3D Site View)) - Date on plan: 01/07/2020 - Proposed External received 31.07.2020
20659 SD(0)62 - (Version - (3D Site View)) - Date on plan: 01/07/2020 - Proposed External received 31.07.2020
20659 SD(0)63 - (Version - (3D Site View)) - Date on plan: 01/07/2020 - Proposed External received 31.07.2020
20659 SD(0)64 - (Version - (3D Site View)) - Date on plan: 01/07/2020 - Proposed External received 31.07.2020
20659 SD(0)65 - (Version - (3D Courtyard)) - Date on plan: 01/07/2020 - Proposed External received 31.07.2020
20659 SD(90)50 - (Version - (Site Plan)) - Date on plan: 01/07/2020 - Proposed Layout received 31.07.2020
20659 EX(90)01 - (Version - (Site Plan)) - Date on plan: 01/07/2020 - Existing Layout received 31.07.2020

Reason: For the avoidance of doubt and to ensure a satisfactory completion of development.

01. Flexible Class E consent:

The commercial units hereby approved shall be used only for purposes falling within Use Class E of The Town and Country Planning (Use Classes) Order, 1987 (as amended) or in any provisions equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order and for no other purpose without the prior grant of planning permission.

Reason: To ensure that the mix of uses provided on the site is compatible with surrounding uses and generates vitality in this key town centre site. In order to accord with Policies TC2, TC3 and TC4 of the Torbay Local Plan 2012-2030.

02. Affordable housing:

At least 20% of the flats hereby approved shall be affordable housing, as defined in the Glossary to the NPPF. No more than 50% of the general market flats shall be occupied until the affordable flats have been completed, transferred to a Registered Provider and made available for occupation. Thereafter the affordable flats shall remain as such in perpetuity.

Prior to development continuing above slab level the developer shall agree with the Local Planning Authority in consultation with the Council's Affordable Housing Manager the following matters with respect to the Affordable Dwellings:

- a. the physical location,
- b. layout,
- c. specification (including that of any common parts serving the affordable dwellings); and
- d. type and tenure of individual affordable dwellings (collectively referred to as "the Details") and shall comprise a mixture of dwelling types matching and in proportion to the overall mixture of dwelling types on the site and shall be distributed throughout the site.

The affordable housing shall be provided in accordance with details submitted to and agreed by the Council's Affordable Housing Manager and shall be constructed at least in accordance with the minimum quality and design standards set by Homes England.

Reason: In accordance with Policy H2 of the Torbay Local Plan.

03. Accessible and adaptable homes:

At least 5% of the dwellings hereby approved shall be built to accessible and adaptable standard as defined in the Council's 'Planning Contributions and Affordable Housing SPD - February 2017'. Prior to development continuing above slab level details of which units will meet this standard and details of how they meet this standard will be submitted to and agreed in writing by the Local Planning Authority. The dwellings shall be maintained to this standard for the lifetime of the development.

Reason: To ensure an adequate supply of accessible and adaptable homes in the interests of the wellbeing and amenity of future occupiers and in accordance with the requirements of the Council's Planning Contributions and Affordable

Housing SPD - February 2017.

04. Condition café and opening hours:
Any commercial café, restaurant or leisure use open to the general public within the development hereby approved shall take place only between the hours of 07:00 am and 22:00 pm unless alternative opening hours have previously been agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area.

05. Public access:
Public access to the pedestrian route through the site linking Torquay Road and Hyde Road and public access to the area identified on the approved plans as public space hereby approved shall be provided prior to the occupation of the 70th residential unit and public access shall be retained for the lifetime of the development.

Reason: To ensure a satisfactory form of development and maintain the link between Torquay Road and Hyde Road in accordance with the requirements of policy DE1, PNPH1, PNPE1 and SDP2 of the Torbay Local Plan 2012-2030 and policy PNP8 of the Paignton Neighbourhood Plan.

06. No buildings:
No building shall be occupied until all the roads, footpaths and visibility splays have been provided in accordance with approved detailed plans unless otherwise agreed in a phasing plan previously agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

07. Written Scheme of Investigation:
No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure, in accordance with Policy SS10 of the Torbay Local Plan 2012 - 2030 and paragraph 199 of the National Planning Policy Framework (2018), that an appropriate record is made of archaeological evidence that may be affected by the development. This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

08. Noise:
No development shall take place above slab level until a detailed scheme of noise insulation measures to protect the internal environment of the residential development has been submitted to and been approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared

by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of ProPG and "BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings". The approved scheme shall be implemented prior to the occupation of the buildings to which the scheme relates and shall be permanently retained thereafter.

Reason: In order to safeguard the amenities of residential occupiers and the details are needed prior to the start of work so that measures can be incorporated into the build.

09. Construction/Demolition Management Plan:

No development shall take place until a site specific Construction/Demolition Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, and dust. The plan should include, but not be limited to:

- Procedures for maintaining good neighbour relations including complaint management.
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
- 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Control measures for dust and other air-borne pollutants.
- Detail for parking of construction workers.
- Details of how the site will be secured.
- Details of the delivery of and loading and unloading of materials.
- Details including siting of any construction management compound and area for storage of plant, machinery and materials.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

10. Ecology Mitigation Measures:

The development shall proceed in full accordance with the submitted and approved Ecological Mitigation and Enhancement Strategy (Western Ecology July 2020).

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the

NPPF.

11. Ecological Mitigation Measures:

Prior to the first use of the development hereby approved, seven clusters of 3 Swift boxes, six Sparrow terraces, clay and reed insect nest boxes and bee bricks shall be incorporated into the walls of the development (in accordance with manufacturer's instructions for correct siting and installation) and retained at all times thereafter.

Reason: To ensure that the development duly considers protected species and biodiversity, in accordance with Policy NC1 of the Torbay Local Plan 2012-2030.

12. Land affected by contamination - Site Characterisation:

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, and has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. Land affected by contamination - Submission of Remediation Scheme:

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the

site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. Land affected by contamination - Implementation of Approved Remediation Scheme:

In the event that contamination is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. Parking Implementation:

Prior to the first occupation of any unit within the development hereby permitted, the parking facilities, manoeuvring areas, and electric charging points shown on the approved plans associated with that unit shall be provided and thereafter permanently retained for the use of vehicles associated with the development.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with policy TA2 and TA3 (and associated appendix F) of the Torbay Local Plan 2012-2030.

16. Electric Vehicle Charging Points:

Prior to the first occupation of the development hereby permitted, 3 electric charging points shall be provided and thereafter permanently retained for the parking of vehicles associated with the development hereby approved, unless an alternative timetable for delivering the charging points has previously been agreed in writing with the LPA.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with policy TA2 and TA3 (and associated appendix F) of the Torbay Local Plan 2012-2030.

17. Hard and soft landscaping:

Prior to the first occupation of the development hereby permitted full details of all

proposed hard and soft landscaping shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual character of the area in accordance with Policies DE1 of the Torbay Local Plan 2012-2030.

18. Soft Landscaping Implementation:

All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development hereby approved, or at such other time as agreed by the Local Planning Authority in writing. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next available planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenities of the area and in accordance with Policies SS8, SS9, C4 and NC1 of the Torbay Local Plan 2012-2030.

Reason: In interests of visual and residential amenity and in accordance with Policies DE1 and DE3 of the Torbay Local Plan 2012-2030.

19. Hard Landscaping Implementation:

Prior to the first occupation of the development hereby permitted, the scheme of hard landscaping treatment for that phase shall be fully installed in accordance with the approved plans. Once provided, the agreed hard landscaping treatment shall be retained for the life of the development.

Reason: In interests of visual and residential amenity and in accordance with Policies DE1 and DE3 of the Torbay Local Plan 2012-2030

20. Detailed design 1:

Prior to installation details of all external materials shall be submitted to and approved in writing by the Local Planning Authority including, but not limited to:

1. A sample of the proposed tile and brickwork,
2. Window and door materials, colours and profiles,
3. A sample of the proposed metal cladding,
4. Details of all fencing and other mains of enclosures including balconies,
5. Rainwater goods,
6. Full details of the proposed roof garden,
7. Details of any underbuild or retaining walls exceeding 300mm in height,
8. Details of any eaves, fascias and/or verges.

The development shall proceed in full accordance with the approved detail and shall be retained as such for the lifetime of the development.

Reason: In order to protect visual character and heritage assets in accordance with Policies C2, DE1, HE1, SS10 and DE1 of the Torbay Local Plan 2012-2030, Policy PNP1 of the Paignton Neighbourhood Plan and advice contained within the NPPF.

21. **Materials:**
The development hereby approved shall be constructed in full accordance with the materials specified on the approved plans unless otherwise agreed in writing. Once constructed no further changes to the masonry finish including colour shall be permitted without the prior consent of the Local Planning Authority.

Reason: To ensure a satisfactory form of development and in accordance with the requirements of policy DE1 of the Torbay Local Plan 2012-2030.

22. **Detailed security measures:**
A scheme detailing security measures and how designing out crime, fear of crime and anti-social behaviour have been considered and where implemented for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a monitored CCTV system and that a clear passport to compliance document will be put in place prior to installation to ensure that the system is fit for purpose. The scheme shall also include details of an external lighting plan relating to the public realm and associated areas.

Development shall take place in accordance with the approved details and shall be fully implemented prior to the occupation of the building(s) to which it relates. The scheme shall be retained and maintained for the lifetime of the development.

Reason: To ensure the safety and security of persons and property and to minimise opportunity for crime, fear of crime and antisocial behaviour. In accordance with Policies SS11 and DE1 of the Torbay Local Plan.

23. **Implementation of refuse facilities (dwellings):**
Prior to the occupation of any dwelling hereby approved, the refuse and recycling facilities shown on the approved plans shall be provided for that dwelling. Once provided the storage arrangements shall be retained and maintained for the life of the development.

Reason: In interests of visual amenity and in accordance with Policy DE1 of the Torbay Local Plan 2012-2030.

24. **Implementation of refuse facilities (commercial units):**
Prior to the occupation of the commercial units hereby approved, the refuse and recycling facilities shown on the approved plans shall be provided for those units. Once provided the storage arrangements shall be retained and maintained for the life of the development.

Reason: In interests of visual amenity and in accordance with Policy DE1 of the Torbay Local Plan 2012-2030.

25. **Implementation of bicycle and mobility buggy storage:**
Prior to the first occupation of any dwellings unit(s) hereby approved, the bicycle and scooter storage facilities shown on the approved plans that relate to that dwelling(s) shall be provided and made available for use for those dwellings. Once provided, storage arrangements shall be retained and maintained for the life of the development.

Reason: In the interests of sustainable transport and in accordance with Policies TA1, TA2, and TA3 of the Torbay Local Plan 2012-2030.

26. Roof storage:

No equipment, signage or plant shall be located on the roof, walls or in the grounds of the development hereby permitted unless otherwise approved in writing by the Local Planning Authority, including air conditioning units, extraction equipment, aerials, tanks, satellite dishes and external lighting.

Reason: In the interests of the visual amenities of the area, in accordance with policies DE1, DE3 and SS10 of the Torbay Local Plan.

27. Drainage Details:

The development shall be undertaken in strict accordance with the approved drainage details and retained as such at all times thereafter.

Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with Policies ER1 and ER2 of the Torbay Local Plan 2012-2030 and advice within the NPPF.

Informative(s)

01. For the avoidance of doubt, any works to be undertaken within the public highway will require the separate consent of the Highway Authority.

2. In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved. The Council has concluded that this application is acceptable for planning approval.

3. Responsibilities of the applicant/developer:

All bats are protected by law. If bats are found, works must immediately cease and further advice be obtained from Natural England and/or a licensed bat consultant. Works must not resume until their advice has been followed. Nesting birds are also protected by law. During site clearance and construction works, suitable safeguards must be put in place to prevent threat of harm to legally protected species, including nesting birds and reptiles all of which are protected under the Wildlife & Countryside Act 1981 (as amended). Where works are to involve cutting or clearance of shrubs, hedges or other vegetation, which can form nesting sites for birds, such operations should be carried out at a time other than in the bird breeding season (which lasts between 1 March - 15 September inclusive in any year). Schemes must be in place to avoid threat of killing or injuring reptiles, such as slow worms. Slow worms may shelter beneath vegetation as well as among any stored or discarded sheeting, building and other materials. Further details can be obtained from a suitably qualified and experienced ecological consultant, or please refer to published Natural England guidelines for protected species.

4. Healthcare Contribution

For the purposes of the Council document 'Planning Contributions and Affordable Housing SPD February 2017' a Healthcare Contribution is payable prior to first

occupation of the development. The Healthcare Contribution shall be £1,300 for each dwelling (either C2 or C3) on the site which is not an affordable dwelling. Any developer who is not Torbay Council, or an agent of Torbay Council, must enter into a Planning Obligation to secure payment of the Healthcare Contribution prior to commencement of development.

The proposed development has been tested against the following policies of the Development Plan and other relevant material considerations and in the opinion of the Local Planning Authority the proposed development is not in conflict with these policies:

- DE1 - Design
- ER1 - Flood Risk
- NC1 - Biodiversity and Geodiversity
- SDP2 - Paignton town centre and sea front
- SS1 - Growth Strategy for a prosperous Torbay
- SS3 - Presumption in favour of sustainable development
- SS11 - Sustainable Communities Strategy
- TA1 - Transport and accessibility
- TA2 - Development access
- TA3 - Parking requirements
- TC2 - Torbay retail hierarchy
- TC4 - Change of retail use
- ES1 - Energy
- H2 - Affordable Housing
- H6 - Housing for people in need of care
- SS10 - Conservation and Historic Environment
- HE1 - Listed Buildings
- PNP1 - Area Wide
- PNP8 - Crossways, Hyde Road and Torquay Road
- PNP13 - Housing opportunities within the Town Centre and Harbour area

The applicant is advised that the granting of planning permission is a separate matter to that relating to the issue of restrictive covenants that may exist on the land. Such covenants protect private rights and benefits. They have not been a material consideration in the determination of this application. You should make your own enquiries relative to such covenants before proceeding to implement the approved development.

THIS IS NOT AN APPROVAL UNDER BUILDING REGULATIONS

Our Building Control Team will be happy to discuss your proposals to help you establish if Building Regulation Approval is required. Please contact Building Control on 01803 208095 or building.control@torbay.gov.uk.

DAVID EDMONDSON

Assistant Director

Planning, Housing & Climate Emergency

On behalf of Torbay Council

5 February 2021

NOTES FOR GUIDANCE

GRANT OF PLANNING PERMISSION

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

Your application for Planning permission has been granted. You must adhere to the details of the approved plans and comply with the conditions attached to the decision notice.

This decision is not a decision under the Building Regulations. It may be necessary to apply for Building Regulation approval. If you need further information about this you may telephone the Building Control Team on 01803 208095.

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 decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:

- 28 days of the date of service of the enforcement notice or
- 6 months (12 weeks in the case of a householder appeal) of the date of this notice

whichever period expires earlier.

If this is a decision to refuse planning permission for a householder application, if 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.

Otherwise, 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.

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

or online at www.gov.uk/government/organisations/planning-inspectorate

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under 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 the Secretary of State.

Section 76 of the Town and Country Planning Act 1990 requires that your attention is drawn to the provisions of the Chronically Sick and Disabled Persons Act 1970, the Code of Practice for Access for the Disabled to Buildings (BS 5810:1979) and Design Note 18 "Access for the Disabled to Educational buildings" in relation to buildings which the public will be admitted. Further information about this may be obtained from the Building Control Team on 01803 208095.

This permission does NOT include authority to execute any works within the boundary of the public highway, or in any way affecting the public highway, or the sewers system in the highway without the permission of the Highway Engineer. You may contact the Highways Team on 01803 207671 or the Drainage Team on 01803 207821.

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 the owner 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 (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no 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 the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.