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APPLICANT: Mr Gary Jordan - Earlwood Ltd
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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 24/00703/VOC **DATE REGISTERED:** 17th May 2024

Proposed Development and Location of the Land:

Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Drawings) of application 11/00301/FUL to allow for layout/design changes.

Land By The Railway Line Near Ferndale Road Harwich Essex

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions;

1 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

11/00301/FUL

- Drawing No: G03

24/00703/VOC

- DRAWING NUMBER 6933-1112-P3
- DRAWING NUMBER 6933-1201-P2
- DRAWING NUMBER 6933-1211-P2
- DRAWING NUMBER 6933-1221-P2

- DRAWING NUMBER 6933-1301-P3
- DRAWING NUMBER 6933-1302-P3
- DRAWING NUMBER 6933-1311-P3
- DRAWING NUMBER 6933-1321-P3
- Materials Samples 6933-August 2024-rev A

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

2 COMPLIANCE REQUIRED: NEW VEHICULAR ACCESS

CONDITION: Prior to the occupation of any of the proposed dwellings, the proposed vehicular access shall be provided and constructed in precise accordance with the details shown on the amended DRAWING NUMBER 6933-1112-P3 and shall be provided with an appropriate dropped kerb vehicular crossing of the footway on Ferndale Road to the specifications of the Highway Authority.

REASON: To ensure that all vehicles using the vehicular access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety.

3 ACCESS MATERIAL

CONDITION: The access/s hereby approved shall have a bound material surface and shall be laid out for a minimum distance of 6 metres from the edge of the carriageway prior to first use. The bound material as implemented shall then be retained thereafter.

REASON: In the interests of highway safety to prevent hazards caused by loose materials

on the highway.

4 ACTION REQUIRED: PROVISION OF ACCESS

CONDITION: Prior to first occupation of the development, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the hereby permitted vehicular access to the site from Ferndale Road and on both sides of the vehicular accesses of Plots 1 and 2. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

REASON: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety

5 COMPLIANCE REQUIRED: CONSTRUCTION METHOD STATEMENT

CONDITION: The Construction Method Statement approved under 16/01877/DISCON on 10 May 2017 shall be implemented and adhered to throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of public amenity and highway safety.

6 COMPLIANCE REQUIRED: SURFACE WATER DRAINAGE STRATEGY

CONDITION: Drawing numbers 1151-1009-CIV-10 Revision A, 1151-1009-CIV-30 Revision A, 1151-1009-CIV-40 Revision A, 1151-1009-CIV-50 Revision A, 1151-1009-SA1, 1151-1009-SA2 and 1151-1009-SA3 approved under 16/01877/DISCON on 10 May 2017 shall be implemented and adhered to throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from surface water flooding.

7 ONGOING REQUIREMENT: HIGHWAYS RETENTION OF GARAGE/PARKING SPACES

CONDITION: Notwithstanding the provisions of Article 3, Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out in such a position as to prevent vehicular access and use of land shown on the approved plans as garage and parking spaces for vehicle use only.

REASON: In the interests of highway safety and to ensure adequate vehicular access to and use of parking and turning provision within the site is provided and maintained.

8 COMPLIANCE REQUIRED: FLOOD RISK

CONDITION: The development hereby permitted shall only be carried out in accordance with the Flood Risk Assessment (FRA) (as amended) submitted under application

reference 11/00301/FUL and the following mitigation measures detailed within the FRA:

- For units 1-7 & 11-13 finished first floor levels that are set no lower than 5.58m above Ordnance Datum (AOD).
- For units 8-10 finished second floor levels that are set no lower than 6.73m above Ordnance Datum (AOD).

REASON: To reduce the impact of flooding on the proposed development and future occupants.

9 HIGHWAYS PROVISION OF PARKING AND TURNING

CONDITION: The hereby approved development shall not be first occupied until such time as the areas for purposes of manoeuvring and parking (including garage spaces as applicable) of vehicles has been provided and made functionally available. Each vehicular parallel parking space shall have minimum dimensions of 2.9 metres x 6.0 metres and any other parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. The internal dimensions of the single garage shall measure 3.0 metres x 7.0 metres. The areas shall then be retained and remain free of obstruction thereafter.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking and layout is provided to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would otherwise be detrimental to highway safety.

10 ACTION REQUIRED: LANDSCAPE MANAGEMENT PLAN

CONDITION: Notwithstanding the Landscape Management Plan approved under 16/01877/DISCON on 10 May 2017 for condition 13 of 11/00301/FUL prior to occupation of the development a landscape management plan, including long term design objectives and management responsibilities for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved, in writing, by the local planning authority. The landscape management plan shall be carried out as approved in accordance with the details and timescales in the plan.

REASON: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

11 COMPLIANCE REQUIRED: HARD AND SOFT LANDSCAPING

CONDITION: The Landscape Management Plan and drawing number 4682.01 approved under 16/01877/DISCON on 10 May 2017 shall be implemented and adhered to, strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development provides a satisfactory setting having regard to its location within and adjacent to a conservation area and in the interest of the visual amenities of the area.

12 APPROVAL REQUIRED: LANDSCAPING SCHEME

CONDITION: Notwithstanding The Landscape Management Plan, drawing number 4682.01 and drawing number 5290-H-008 approved under 16/01877/DISCON on 10 May 2017 no development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for Plot 10, which shall include any proposed changes in ground levels.

REASON: In the interests of visual amenity and the character and appearance of the area.

NOTE/S FOR CONDITION:

Slab level is normally refers to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please assume slab level to be the point before any walls and/or development can be visually above ground level or seek confirmation from the Local Planning Authority for your development.

Should the landscape works include any new hedgerow, please consider the following planting for a native hedge. Native hedge: 50% hawthorn, 25% blackthorn (but beware - this can spread into adjacent fields), 15% field maple, 2% holly, 2% wild privet, 2% guelder rose, 2% dog rose, 2% buckthorn.

13 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

CONDITION: All changes in ground levels, soft/hard landscaping shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development, or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

14 COMPLIANCE REQUIRED: SCREEN WALLS AND FENCES INCLUDING BIN ENCLOSURES

CONDITION: Drawing number 5290-H-008 approved under 16/01877/DISCON on 10 May 2017 shall be implemented and adhered to strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the additional boundary treatment is compatible with the character of the area and in the interests of visual and residential amenity.

15 SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED

DEVELOPMENT RIGHTS

CONDITION: Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes A, B, D, E, F and G of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification) no enlargement, improvement or other alteration to the dwellings shall be erected or carried out and there shall be no provision of buildings, enclosures, swimming or other pool shall be erected, except in accordance with drawings showing the design and siting of such enlargement, improvement or other alteration to the dwellings, and drawings showing the design and siting of such building(s) and structures which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

REASON- To protect the character of the buildings in the conservation area and its setting and to protect the amenity of nearby residents and the character of the area.

16 COMPLIANCE REQUIRED: FOUL WATER DRAINAGE

CONDITION: Drawing numbers 1151-1009-CIV-10 Revision A, 1151-1009-CIV-30 Revision A, 1151-1009-CIV-40 Revision A, 1151-1009-CIV-50 Revision A, 1151-1009-SA1, 1151-1009-SA2 and 1151-1009-SA3 approved under 16/01877/DISCON on 10 May 2017 shall be implemented and adhered to throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure satisfactory drainage of the site.

17 COMPLIANCE REQUIRED: CONTAMINATION

CONDITION: The Geotech Report approved under 16/01877/DISCON on 10 May 2017 confirms the absence of contamination at the boreholes. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4) below has been complied with in relation to that contamination.

1) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be 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 are subject to the approval in writing of 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'.

2) Submission of Remediation Scheme

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 must be prepared and is subject to the approval in writing of 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.

3) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. 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 is subject to the approval in writing of the Local Planning Authority.

4) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

5) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed as part of the Remediation Scheme, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

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 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.

18 COMPLIANCE REQUIRED: EMERGENCY FLOOD EVACUATION PLAN

CONDITION: Drawing number 1789/RE/03-17/01 Revision B approved under 16/01877/DISCON on 10 May 2017 shall be implemented and adhered to for the lifetime of the development in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. A copy of the evacuation plan shall be included in the Home Owner Packs which shall be provided to all occupiers of the residential units upon first occupation.

REASON: The site is at risk from flooding and an evacuation plan is essential to safeguard future occupiers of the development.

19 COMPLIANCE REQUIRED: STRUCTURAL DESIGN STRATEGY

CONDITION: The Structural Design Strategy approved under 16/01877/DISCON on 10 May 2017 shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To reduce the impact of flooding on the proposed development on future occupants by ensuring that the new buildings can withstand pressures from flood waters.

20 FURTHER ACTION: EXTERNAL LIGHTING

CONDITION: No external lighting shall be installed until details of the illumination scheme have been submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details.

REASON: In the interests of amenity of nearby residents and to reduce the impact of night time illumination on the character of the area.

21 COMPLIANCE REQUIRED: PROTECTION OF REPTILES

CONDITION: The mitigation measures set out in the Slow Worm Working Method Statement approved under 16/01877/DISCON on 10 May 2017 shall be implemented as set out in the agreed strategy, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard those protected species identified within the site.

22 COMPLIANCE REQUIRED: CYCLE STORAGE

CONDITION: Drawing number 5290-H-008 approved under 16/01877/DISCON on 10 May 2017 shall be implemented and adhered to strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. The provision of cycle storage shall be provided in accordance with the approved details and shall be maintained free from obstruction at all times for that sole purpose.

Reason: To promote the use of sustainable means of transport

23 COMPLIANCE REQUIRED: TURNING FACILITY

CONDITION: Prior to the occupation of any of the proposed dwellings, the minimum size 3 turning facility shall be constructed, surfaced, and maintained free from obstruction in precise accordance with the details shown on the amended DRAWING NUMBER 6933-1112-P3.

REASON: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

24 RESIDENTIAL TRAVEL INFORMATION PACK

CONDITION: Prior to first occupation of each dwelling, a Residential Travel Information Pack (travel pack) shall be provided to each dwelling for use of its first occupiers. The travel pack shall be agreed, in writing, by the Local planning authority prior to provision and shall include a minimum of six one day travel vouchers for use with a local transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

DATED: 12th September 2024

SIGNED:



John Pateman-Gee
Head of Planning and Building Control

NATIONAL & LOCAL PLAN POLICIES AND GUIDANCE RELEVANT TO THIS DECISION:

National:

National Planning Policy Framework December 2023 (NPPF)
National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development
SP3 Spatial Strategy for North Essex
SP4 Meeting Housing Needs
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth
SPL2 Settlement Development Boundaries
SPL3 Sustainable Design
LP1 Housing Supply
LP2 Housing Choice
LP3 Housing Density and Standards
LP4 Housing Layout
PP14 Priority Areas for Regeneration
PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity
 PPL5 Water Conservation, Drainage and Sewerage
 PPL8 Conservation Areas
 PPL9 Listed Buildings
 CP1 Sustainable Transport and Accessibility
 CP2 Improving the Transport Network
 DI1 Infrastructure Delivery and Impact Mitigation

Supplementary Planning Documents

Essex Design Guide

Technical housing standards: nationally described space standard Published 27 March 2015

Biodiversity Net Gain Supplementary Planning Document June 2023 (DRAFT)

Harwich Conservation Area Character Appraisal and Management Plan November 2023

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

INFORMATIVES:

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informative

i) All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

ii) All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

iii) No windows, doors or other projections should extend over public areas such as footways or cycleways.

iv) On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

v) As indicated with previous planning application 11/00301/FUL, the applicant should be advised that due to the site constraints and in-turn deficiencies in the layout/ design which have been previously advised, the Highway Authority is unlikely to adopt this layout into the highway network and adequate and appropriate provision should be made for the future maintenance and upkeep of the site.

vi) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

vii) Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

Standard Informative 1: The Provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this Development and will be determined at Building Regulation Stage.

Standard Informative 2: You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Tendring District Council.

Standard Informative 3: If the development includes the construction of a new building on or at the boundary of 2 properties, work to an existing party wall or party structure or involve excavation near to and below the foundation level of neighbouring buildings, you are advised that the provisions of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available online or from the District Council.

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED 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, then you must do so within the set time frame as outlined below:
 - a. 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. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - b. If this is a decision to refuse planning permission for a minor commercial 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. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- Please ensure that you have read the latest procedural guidance for appeals prior to submitting an appeal. The latest guidance can be found at [Procedural Guide: Planning appeals – England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/procedural-guide-to-planning-appeals)
- 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 permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](https://www.gov.uk/government/publications/planning-appeals)

ENFORCEMENT

- 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 within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.