



Application No: APP/16/01567/F

TO:

Mr Annen
Pure Town Planning
Suite 8
Pine Court
36 Gervis Road
Bournemouth
BH1 3DH

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Town and Country Planning (General Permitted Development) (England) Order 2015

GRANT OF PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, by-law, order or regulation (eg in relation to Building regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Applicant: Salterns Marina Ltd

Case Officer: Clare Spiller

Det Level: Planning Committee

Location of Development:

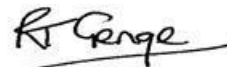
Salterns Harbourside Hotel, 38 Salterns Way, Poole, BH14 8JR

Description of Development:

Demolition of the existing buildings and the erection of 2 multi-storey mixed use developments containing 54 residential units, a 75 bedroom hotel, restaurants, offices and marina service facilities. Construction of a new quay wall around the development and raising of sea defences to 3.6m AOD (Revised scheme)

In pursuance of their powers under the above mentioned Act, The Borough of Poole Planning Authority HEREBY GRANT PLANNING PERMISSION for the development described above in accordance with the details given in the application numbered above.

Signed



Planning and Regeneration Manager

Date of Decision: 01/08/2018

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Subject to the following condition(s):-

- 1 The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason -

This condition is required to be imposed by the provisions of Section 91 of the Town and Country Planning Act 1990 and amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

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

Site Plan 8471/500 Rev E received 11/05/17
Block Plan 8471/501 Rev A received 30/01/17
Location Plan and Site Section 8471/502 Rev B received 30/01/17
Block B Floor Plans (1 of 7) 8471/503 Rev E received 24/04/17
Block B Floor Plans (2 of 7) 8471/504 Rev E received 24/04/17
Block B Floor Plans (3 of 7) 8471/505 Rev E received 24/04/17
Block B Floor Plans (4 of 7) 8471/506 Rev E received 24/04/17
Block B Floor Plans (5 of 7) 8471/507 Rev C received 30/01/17
Block B Elevations (1 of 2) 8471/510 Rev A received 30/01/17
Block B Elevations (2 of 2) 8471/511 Rev A received 30/01/17
Block A Floor Plans (1 of 4) 8471/512 Rev B received 14/06/17
Block A Floor Plans (2 of 4) 8471/513 Rev A received 30/01/17
Block A Floor Plans (3 of 4) 8471/514 Rev A received 30/01/17
Block A Floor Plans (4 of 4) 8471/515 Rev A received 30/01/17
Block A Elevations (1 of 2) 847/516 Rev B received 14/06/17
Block A Elevations (2 of 2) 8471/517 Rev A received 30/01/17
Sections 8471/518 Rev B received 14/06/17
Block A Elevations 8471/521 received 16/06/17
Block B Elevations 8471/522 received 16/06/17

QUAY AND DOCK WALLS PLAN AND SECTION R08-02 REV0 Received 24/10/16

Reason -

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

- 3 Details and samples of all external facing (including balustrades, fenestration treatment, louvers) and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

Reason -

To ensure that the external appearance of the building(s) is satisfactory and in accordance with Policies PCS23A of the Poole Core Strategy (February 2009).

- 4 Prior to the commencement of the development hereby permitted, details of the use of on-site renewable energy sources to meet a minimum of 20% of predicted energy use of the non-residential and residential development, shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented, retained and maintained.

Reason:

In the interests of delivering a sustainable scheme and reducing reliance on centralised energy supply and in accordance with Policies PCS31, PCS33 and PCS35 of the Poole Core Strategy

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adopted 2009 and guidance contained within Section 10 - Meeting the challenge of climate change, flooding and coastal change of the National Planning Policy Framework (March 2012).

- 5 Proposals for the landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting).

Upon approval:

- a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- d) the whole scheme shall be subsequently retained.

Reason -

In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policy PCS23(A) of the Poole Core Strategy (February 2009) and Policy DM1 (iii) of the Site Specific Allocations & Development Management Policies (April 2012).

- 6 Before the development hereby permitted is commenced, proposals for the hard landscaping of the site, including full details of surfacing materials and colours/kerbing/bollards/railings/walling or any fencing shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be completed in all respects prior to the first occupation/use of the development hereby approved and thereafter retained.

Reason -

To enhance the amenities of the site and to secure a well planned development in accordance with Policy PCS23(A) of the Poole Core Strategy (February 2009) and Policy DM1 (iii) of the Site Specific Allocations & Development Management Policies (April 2012).

- 7 Prior to the Commencement of Development hereby approved the following works will be constructed in accordance with details to be submitted to, and approved in writing, by the Local Planning Authority, namely:

a- The road widening and footway works to the northwest end of Salterns Way adjacent to Sandbanks Road based on drawing No. 020.0183.001 P3 contained within Appendix E of the Transport Statement.

Reason-

in the interests of Highway Safety and in accordance with Policy PCS26 of the Poole Core Strategy adopted 2009, and DM7 and DM8 of the Poole Site Specific Allocations and Development Management policies adopted 2012.

- 8 Prior to the commencement of development details of:

a- scheme of lighting along the access road, parking areas and pedestrian routes hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the proposed phased implementation of the approved lighting. The approved lighting shall

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then be implemented in accordance with the agreed scheme and the lighting shall remain in good working order at all times thereafter.

b- scheme of signage and marking out of the existing Public Right of Way route which runs through part of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and shall remain in situ at all times thereafter.

c- Parking Implementation and Management Plan, which shall include details of; temporary contractors and construction vehicle parking areas, phasing of the parking implementation, including marking out of the approved car and cycle parking areas, a hotel valet parking scheme and the final completed development parking management arrangements, shall be submitted to and agreed in writing by the Local Planning Authority . The parking shall be implemented and managed in accordance with the approved Plan at all times thereafter.

d- scheme to deliver the road widening and footway works to the southwest end of Salterns Way adjacent to the site access as indicated on the site plan ref 8471/500 rev D prior to first commencement of any approved use within Block A, or any occupation of any of the residential units or the commencement of any approved use in Block B.

e- the ramped (gradients) pedestrian access routes adjacent to Block A, shall be submitted to and agreed in writing by the Local Planning Authority. The approved ramped pedestrian access shall be implemented in accordance with the approved details/plans prior to first occupation of the development.

f- A Construction Management Plan detailing the routes to be taken by HGV's visiting the site in association with the construction phases of the proposals. The routes in particular should avoid the use of Lilliput Road. The approved Construction Management Plan shall be adhered to during all phases of construction of the approved proposals unless varied in writing by the Local Planning Authority.

Reasons –

In the interests of providing appropriate levels of parking and safe vehicle and pedestrian routes in accordance with Policies DM 7 & DM 8.

- 9 Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, the land designated as visibility splays as indicated on the approved plan(s) shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, including the reduction in level of the land if necessary, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

Reason -

In the interests of highway safety and in accordance with the approved plan and Policy PCS15 of the Poole Core Strategy (February 2009), and DM7 and DM8 of the Site Specific Allocations & Development Management DPD Policies (April 2012).

- 10 Prior to occupation of the 50th residential unit a Travel Plan with measures to encourage sustainable modes of transport amongst residents, and it's implementation timescale, shall be agreed in writing with the Local Planning Authority.

Reason-

To promote sustainable modes of transport in accordance with the Poole Core Strategy.

- 11 The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (Scott White and Hookins, dated September 2016) and the mitigation measures detailed therein, unless otherwise agreed in writing by the Local Planning Authority:

1. Flood resistance / resilience measures up to a level of 4.0 metres above Ordnance Datum (AOD) shall be incorporated into both blocks.

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2. Finished floor levels and the basement car park tanking and access ramp crest levels for both blocks shall be set no lower than 3.6 metres above Ordnance Datum (AOD).

Reason-

To reduce the impact of and the risk of flooding on/to the proposed development and future occupants and in accordance with PCS34 of the Poole Core Strategy adopted 2009.

- 12 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall achieve a minimum BREEAM Excellent rating (or equivalent standard).

Prior to the commencement of development a Design Stage Certificate under BREEAM (or equivalent standard) shall be submitted to and agreed in writing by the Local Planning Authority.

Prior to first occupation of the building, the Post-Construction Review Certificate shall be submitted to the Local Planning Authority verifying that the standards referred to in the Design Stage Certificate have been met.

Reason:

In the interests of delivering a sustainable and energy efficient scheme and in accordance with Policies PCS31, PCS33 and PCS35 of the Poole Core Strategy adopted 2009 and guidance contained within Section 10 - Meeting the challenge of climate change, flooding and coastal change of the National Planning Policy Framework (March 2012).

- 13 Prior to commencement of development a scheme to deliver a replacement rising main which pumps the existing foul flows to the existing gravity sewer at the junction of Salterns Way and Lagoon Rd including a timeframe for implementation shall be submitted to and approved in writing by the Local Planning Authority. The proposal shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the LPA.

Reason-

Wessex Water consider the addition of predicted development flows from the proposed development site will generate major works at the pumping station.

- 14 During implementation of the development hereby permitted no plant, machinery or vehicle that is associated with the implementation of the development that is audible at any boundary of the site shall be operated at the site other than between 0800 hrs and 1800 hrs on Mondays to Fridays inclusive, and between 0800 hrs and 1300 hrs on Saturdays. In the case of machinery operated in association with any piling operations, this shall be operated only between 0830 hrs and 1800 hrs Monday to Friday. During implementation of the development no machinery associated with implementation of the development shall be operated at any time on Sundays or recognised Public Holidays, nor shall any Heavy Goods Vehicles associated with implementation of the development enter or leave the site other than during the permitted hours.

Reason -

To protect the amenities of nearby residential properties and in accordance with the provisions of policy DM 1 of the Site Specific Allocations and Development Management Policies DPD (Adopted 2012).

- 15 Prior to demolition the flying boat plaque shall be removed from the existing building.

Prior to commencement of development details of the position of the flying boat plaque to be reinstated on the new hotel building (Block A) shall be submitted to and agreed in writing by the Local Planning Authority, and implemented before first use of the building. The proposal shall thereafter be carried out in accordance with the agreed detail.

Reason-

To continue to retain and publicise the history of the site.

- 17 A landscape and environmental plan which includes details/plans and locations for 'swift bricks' and living walls/roofs shall be submitted to and approved in writing prior to commencement of development. The approved scheme shall be implemented in full prior to first use of the building.

Reason-

In the interests of biodiversity and in accordance with PCS29 of the Poole Core Strategy adopted 2009.

- 17 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the accommodation described as hotel rooms/suites including managers suite, Treatment Rooms, Relaxation Room, Swimming pools, gymnasium, changing facilities, restaurant and function rooms shall be occupied and used for purposes of Class C1 Hotel use only and for no other use purposes, whatsoever, including any other purpose in Class C1 of the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment, without formal planning permission first being obtained.

Reason -

To ensure an appropriate Tourism Offer is provided and in accordance with Policy DM5 of the Development Management Policies DPD (Adopted 2012).

- 18 Prior to commencement of development proposals for the disposal of surface water shall be submitted to, and approved in writing by the Local Planning Authority. The proposal shall be carried in accordance with the approved details, unless otherwise agreed in writing by the LPA.

Reason -

To ensure an appropriate discharge of surface water.

- 19 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the development hereby approved and as annotated on the plans as birth holders bar, marina changing rooms and shower facilities, shall be used for marina based purposes only and for no other use purposes, whatsoever, including any other purposes, whatsoever, without formal planning permission first being obtained.

Reason -

To retain a marina and associated activities on the site.

- 20 Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Borough of Poole:

A 'desk study' report documenting the history of the site and its surrounding area and likelihood of contaminant extent and type; if the study confirms the possibility of contamination a site investigation report documenting the ground conditions of the site, incorporating a "conceptual model" of all the potential pollutant linkages and an assessment of risk to identified receptors; if risk assessment identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed.

The Remediation Scheme, as agreed by the Borough of Poole, shall be fully implemented before the development hereby permitted is first occupied. Any variation to the scheme shall be agreed in writing with the Borough of Poole in advance of works being undertaken. On completion of the works the developer shall provide written confirmation that all works were completed in accordance with the agreed details.

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Reason:

To identify unacceptable risks to human health and other sensitive receptors and ensure the remediation of the site is to an appropriate standard and in accordance with Policy DM1 (v) of the Site Specific Allocations & Development Management Policies (April 2012) and guidance given in Section 11 - Conserving and enhancing the natural environment in the National Planning Policy Framework (March 2012).

- 21 There shall be no direct public access to the foreshore of Poole Harbour from the Marina.

Reason-

To avoid potential disturbance effects to the SPA birds on the intertidal habitats on the west and east side of the marina and in accordance with Policy PCS29 of the Poole Core Strategy Adopted 2009.

- 22 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax- measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive). Heavy machinery constitutes, for example use of pneumatic drills and diggers. Note: The sensitive receptor is the nearest point of the SSSI.

Reason-

To avoid potential disturbance effects to the SPA birds on the intertidal habitats on the west and east side of the marina and in accordance with Policy PCS29 of the Poole Core Strategy Adopted 2009.

- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, the flat roof areas on Block A shall not be used as a balcony, roof garden or similar amenity area.

Reason -

To protect the amenity and privacy of adjoining residential properties and in accordance with Policy DM1(v) of the Site Specific Allocations & Development Management Policies (April 2012).

- 24 Both in the first instance and upon all subsequent occasions, the louvres which are shown on the external elevations on Block A shall be retained and maintained in perpetuity

Reason -

To protect the amenity and privacy of the adjoining properties and in accordance with Policy DM1(v) of the Site Specific Allocations & Development Management Policies (April 2012).

- 25 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the commercial floorspace, as indicated on the approved plans for Block B hereby approved shall be used for purposes with Use Classes A1, A2, A3 or B1(a) only and for no other purposes, whatsoever.

Reason -

In order to ensure an attractive and vibrant scheme conducive with the layout and proximity with residential properties and in accordance with Policy DM01 of the Site Specific Allocations and Development Management Policies DPD 2012.

- 26 No sound amplifying equipment or music, which would produce audible noise outside the premises shall be installed or played without the prior written consent of the Local Planning Authority.

Reason -

In the interests of the amenities of occupiers of nearby properties and in accordance with Policy DM1 (v) of the Site Specific Allocations & Development Management Policies (April 2012) and guidance given in Section 11 - Conserving and enhancing the natural environment in the National Planning Policy Framework (March 2012).

- 27 Prior to the first use of the restaurant hereby approved a scheme for protecting the adjoining residential blocks from noise from the restaurant and functions room shall be submitted to, and approved in writing by, the Local Planning Authority. All works which form part of the scheme shall be completed before the function room and restaurant is first brought in to use and thereafter retained and maintained.

Reason -

In order to protect the amenities of the occupiers of the adjoining development and in accordance with Policy DM1 (v) of the Site Specific Allocations & Development Management Policies (April 2012) and guidance given in Section 11 - Conserving and enhancing the natural environment in the National Planning Policy Framework (March 2012).

- 28 The swimming pool and the gym in the hotel building shall be retained for the use of residents of the existing residential blocks 'A', 'B' and 'C'; patrons of the hotel hereby permitted; and residents of proposed residential 'Block B' only.

Reason-

To ensure that adequate parking is retained to serve the development and in accordance with Policy DM7 and DM8 of the Poole Site Specific Allocations and Development Management policies adopted 2012.

- 29 Prior to commencement of development, full details, sections and materials of a new flood wall running along the north east of the site running along the boundary with 15 Salterns Way shall be submitted to and approved in writing by the Local Planning Authority. The flood wall shall be erected concurrently with new quay wall around the wider site and shall be in place prior to the hotel and residential building being commenced.

Reason-

To reduce the impacts of flooding and in accordance with Policy PCS34 of the Poole Core Strategy adopted 2009.

Informative Note(s):-

1. Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations

The proposed development referred to in this planning permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (amended).

In accordance with CIL Regulation 65, Borough of Poole will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable after the day on which planning permission first permits development. The Liability Notice will confirm the chargeable amount for the chargeable development referred to in this planning permission and will be calculated by Borough of Poole in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted Borough of Poole Charging Schedule. Please note that the chargeable

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amount payable in respect of the chargeable development referred to in this planning permission is a local land charge.

For information purposes, Borough of Poole reserves the right to issue a Liability Notice in respect of chargeable development as soon as is practicable following the grant of planning permission, but before the time on which that planning permission first permits development (the definition of when planning permission first permits development for the purposes of CIL is set out in CIL Regulation 8). However, any earlier Liability Notice issued by Borough of Poole in respect of the chargeable development referred to in this planning permission ceases to have effect at the point a subsequent (by date) Liability Notice in respect of the chargeable development referred to in this planning permission is issued by Borough of Poole.

Please be aware that failure to pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this planning permission may result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including the assuming, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Borough of Poole website:

<http://www.boroughofpoole.com/planning-and-buildings/planning/ldf/community-infrastructure-levycommunity-infrastructure-levy/>

2. In accordance with the provisions of paragraphs 186 and 187 of the NPPF the Borough of Poole (BoP) takes a positive and proactive approach to development proposals focused on solutions. BoP work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.

Also:

- in this case the applicant was afforded an opportunity to submit amendments to the scheme which addressed issues that had been identified

3. Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

4. Water Efficiency

The Environment Agency advises the development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

Applicants are advised to refer to the following for further guidance on the Environment Agency's website <http://www.environment-agency.gov.uk/homeandleisure/beinggreen/118941.aspx>
<http://www.savewatersavemoney.co.uk/>

5. Sustainable Construction

The Environment Agency advise that sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

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6. Waste Management

In accordance with the waste hierarchy, the environment Agency advise the applicant to consider reduction, reuse and recovery of waste in preference to off site incineration and disposal to landfill during site construction.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

If the applicant requires more specific guidance it is available on the Environment Agency's website <https://www.gov.uk/how-to-classify-different-types-of-waste>

7. The land and premises referred to in this planning permission are the subject of an Agreement under Section 278 of the Highways Act 1980.

8. A minimum of 28 days notice is required for works on the highway associated with the development. Application is to be made to the Head of Highways and Transportation Services. Only contractors approved by the Council can carry out this work.

Under no circumstances shall the following occur:-

1. Damage to the highway as a result of excavation within the site.
2. The highway be used for storage of materials.
3. The footway be crossed or used by delivery vehicles without a properly formed crossing provided.
4. The highway be used for plant carrying out works to or near the boundary of this site.

If any of the above are observed, the Council's maintenance contractor will carry out the necessary work to rectify the situation and all costs incurred recovered from the Contractor. The onus will be on the Contractor to prove that any damage to the highway has not been caused by the works.

9. The grant of this planning permission does not entitle developers to obstruct a public right of way. The applicant is advised that a public right of way passes through/adjacent to the application site: this planning permission does not convey any rights to obstruct, divert or stop-up that right of way and the Local Planning Authority will, if necessary, take legal action to maintain the right of way.

10. Natural England advise that all contractors working on the site should be provided with a map that clearly shows the boundaries of Poole Harbour SSSI in relation to the development site.

11. Natural England advises that all contractors should ensure best practice is in place for operating machinery to reduce unnecessary noise.

12. Natural England request that the applicant agree to fund the provision of two interpretive panels (designed by the Poole Harbour Study Group) to be put in suitable locations in the marina, these describe the important features of the harbour and provide advice for boat users and have been agreed by with Poole Harbour Commissioners.

Please see Additional Information/Notes below

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990
- If this is a decision on a planning application relating to the same or substantially the same land and development and 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 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 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

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this notice.

- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- 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.
- If you want to appeal against your local planning authority's decision [excluding householder applications and advertisement applications] then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can now 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.

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 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 VI of the Town and Country Planning Act 1990.

Additional Information/Notes

- These notes DO NOT apply to Decisions for Work on Protected Trees.
- Your planning application has been determined and the Decision Notice is above these notes.
- These notes are intended as helpful advice before you proceed further. PLEASE READ THEM CAREFULLY.
- Keep the decision safely - it may be needed when you sell your property.
- Make sure everyone has a copy who needs it. Most importantly make sure your builder or contractor has a copy to work from on the site.

PLANNING PERMISSION GRANTED?

Conditions:

- If permission has been granted you will see that it maybe subject to Conditions. They are an integral part of the Decision and are important because they describe how the Council requires you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them.
- Please pay particular attention to those Conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site.
- If you do not comply with all the conditions in full this may invalidate the permission.

Informative Notes:

- Informative Notes do not form part of the Decision itself but are included as helpful advice and guidance.

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OTHER LEGISLATION:

- This Notice is a decision under the Planning Acts only. It should not be taken to imply that the scheme meets the requirements of any other Agency which may be involved. Please make sure that you have obtained all the approvals you need before starting work. If you are in any doubt you should obtain professional advice.

Changes to Plans:

- Should you wish to change your plans for any reason, including the need to meet requirements of other legislation, it is important that you notify the Local Planning authority before carrying on with work. Many amendments can be quickly agreed but more substantial ones may require a fresh application and could even prove to be unacceptable.