

MAGWATCH, RULE 6 PARTY



Supplementary submission following the August 2026 National Planning Policy Framework

Appeal reference: 6002440

LPA reference: APP/23/00822/F

Site: Land at Canford Resource Park, Arena Way, Magna Road, Wimborne BH21 3BW

A. Scope and approach

1. Magwatch understands that, under Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Inspector is legally obliged to consider the new August 2026 NPPF when making her decision on MVV's appeal, even though publication of the new Framework post-dated the closing of the Inquiry in June 2026. This submission is a response to the Inspector's invitation to comment on the implications of the new Framework on the case that Magwatch submitted to the Inquiry hearings in June 2026. The submission introduces no new evidence and confines itself to applying changed policy to evidence already before the Inquiry.
2. Magwatch relies upon its Closing Submission dated 25 June 2026 (ID39), its proofs of evidence and the oral evidence provided to the Inquiry. This supplementary submission is confined to the consequences of the revised National Planning Policy

Framework published on 17 August 2026¹. As noted in ID39, we also rely on the Council's case in various respects, not least to avoid duplication, and on aspects of UKWIN's evidence.

3. Though the structure of the Framework has changed in its August 2026 iteration, much is carried over in substance from its predecessor version of December 2024. However, several changes are materially favourable to the case Magwatch presented to the Inquiry.
4. Section B of this submission identifies those areas of the new Framework which differ little from the 2024 Framework and therefore remain material to our case. This importantly includes all Green Belt policy which lay at the heart of Magwatch's case.
5. Section C examines new guidance which Magwatch considers relevant to the evidence it presented to the Inquiry. This includes new wording in the NPPF definition of Previously Developed Land, and a strengthening of protection against inappropriate development in the Green Belt

B. Where the new Framework echoes the 2024 Framework

1. Development in the Green Belt

6. The Green Belt section of the new Framework reflects the GB section of the 2024 Framework in the following respects:
 - i. GB2(1) lists the five purposes of the Green Belt. The wording is identical to the wording of paragraph 143 of the 2024 Framework.
 - ii. GB6(2) is virtually identical in wording to paragraph 153 of the 2024 Framework, with similar references to openness, very special circumstances and the balance of harm to benefit.
 - iii. GB6(1) refers decision-makers to G7 for the categories of development which might be excepted from GB6(2).
 - iv. GB6(3) – “very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources” – echoes the wording of paragraph 160 of the 2024 Framework.
 - v. GB7(1) is similar to paragraph 154 of the 2024 Framework.
 - vi. GB7(1)(b), which allows for the replacement of an existing building so long as

¹ ChatGPT AI was used to assist with the initial analysis of the revised NPPF and its relevance to Magwatch's Inquiry evidence. Drafts and redrafts of the submission have been written, edited, modified and supplemented by members of Magwatch. All policy citations, quotations and evidence references have been checked by Magwatch against the primary documents.

‘a replacement building’ “*should be for the same use and not materially larger than the one it replaces*” echoes the wording of 154 (d).

- vii. GB7(1)(g) lists the requirements of proposed development that are necessary for it to qualify as ‘not inappropriate in the Green Belt’.
 - viii. GB7(1)(g)(i) concerns the utilisation of grey belt land and is identical in wording to 155 (a) which requires that grey belt land should not undermine the purposes of the remaining Green Belt.
 - ix. GB7(1)(g)(ii): the wording about ‘unmet need’ is identical to 155 (b) apart from the change of the word ‘*demonstrable*’ to ‘*evidenced* unmet need’ in the new Framework, which will be dealt with later in this submission.
 - x. GB7(1)(g)(iii), concerning sustainable locations, contains identical wording to 155 (c) save for the references to the related paragraphs in each (TR3 instead of paragraphs 110 and 115 on the 2024 Framework)
7. The pathway to permitted development in the Green Belt lies, in the new Framework, in moving from GB6 to GB7. If the application can progress beyond GB7(1)(e) (“not cause substantial harm to the openness of the Green Belt”), GB7(1)(g) is engaged. All the requirements of this limb must apply. If the application fails the GB7 gateway, GB6(2) is brought into play – very special circumstances, with the harm outweighed by other considerations. This pathway is similar to the pathway offered by paragraphs 154 (g), 155 and 153 of the 2024 Framework.
8. This is the pathway attempted by the Appellant in their application. Magwatch maintains the case it made in its section 4) of its Green Belt proof (CD12 1.11) and in its Closing Submission (ID39, section i). Nothing in the August 2026 Framework weakens Magwatch’s Green Belt case presented to the Inquiry.

2. Sustainable transport

9. TR3(1)(a), limiting the need to travel, is an expansion of paragraph 110 of the 2024 Framework; the later was cited in CD12 1.11). TR6(4) echoes paragraph 116.

3. Well-designed places

10. DP3(1), dealing with context (the history, character and features of their site and its setting), is very similar to 135 (c), cited in Magwatch’s case in CD12 1.11 section 5) and paragraphs 61-73 of ID39. DP3(3) is similar, but stronger in wording, than paragraph 139 of the 2024 Framework.

4. Historic Environment

11. HE6(1) in most respects is similar to paragraph 212 of the 2014 Framework; however, ‘great weight’ becomes ‘substantial weight’; ‘less than substantial harm to its significance’ becomes simply ‘harm...to its significance’, a wording change that makes assessment of that a simpler and clearer process.

5. Natural environment

12. N2 and N6 offer similar protections to the natural environment as paragraphs 193, 194 and 195 of the 2024 Framework. Magwatch maintains the case presented in paragraphs 4.4.12 to 4.4.20 and section 6.2 of its Green Belt proof and footnote 118 (page 30) of its Closing Submission.

6. Healthy and safe communities

13. P3 provides a decision-making basis for matters already raised in the health and community wellbeing evidence (CD121.11, section 6.4 and CD15 1.10). Magwatch maintains its case and does not believe that the updates to the NPPF weaken the weight to be given to these submissions.

c. New planning guidance relevant to Magwatch's case

14. The paragraphs in this section examine policies which are new to the planning framework or which contain a new emphasis in policy which Magwatch considers to make a material difference in support of the case it presented to the Inquiry.

7. PDL status, restoration provision

15. The revised definition of 'previously developed land' (PDL) includes a word change raises an additional issue not present under the December 2024 Framework. Annex B now excludes *"land that has been developed but where provision for restoration has been made through development management procedures (including development related to minerals extraction, waste disposal by landfill and **renewable and low carbon energy development, where provision for restoration exists**)"*².
16. Annex B requires only that provision for restoration has been made through development management procedures; it does not require that the restoration trigger has already occurred. Condition 6 of APP/17/00888/F makes this provision explicitly, and the majority of the site therefore falls within the Annex B exclusion irrespective of the operational status of the Low Carbon Energy Facility (LCEF) at any given date. Robert Asquith's Planning Proof (CD12 1.2), paragraph 7.4.6, states that the majority of the EfW CHP Facility Site derives its claimed PDL status from development undertaken pursuant to the LCEF permission. His reasoning relied materially on the proposition that the implemented permission contained no condition requiring the development to be removed "by a certain date", which he treated as establishing a permanent permission. The absence of a fixed end date is

² The equivalent passage in the 2024 Framework ran: *"Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures"*

not the policy test: the criterion now is whether a legally effective restoration provision *exists*, regardless of when its trigger occurs. The fact that restoration is triggered by ceasing of specified operations rather than by a fixed calendar date does not mean that no provision for restoration exists. Provision for restoration does exist, and it follows, therefore, that the reasoning by which Mr Asquith treated the majority of the site as permanently permitted, and hence as PDL, no longer applies under the August 2026 definition.

17. The land developed under the LCEF permission, and claimed by Mr Asquith to be PDL, would occupy a majority of the site required for the main buildings of the proposed EfW CHP Facility.
18. The planning history (APP/17/00888/F³) relating to the LCEF is directly relevant to the new Annex B wording. That history was not determinative under December 2024 Framework definition of PDL, but is now material. Magwatch is not seeking to introduce new evidence in this submission. The planning history relied upon is already before the Inquiry, cited by the Appellant in the Relevant Planning History of their Statement of Case (CD7 1.1)⁴; further, the wording of Condition 6 is a matter of public record on the Council's planning portal. What is new is the test in Annex B, which the Inspector is obliged to apply.
19. The history of this condition starts with the application for Low Carbon Energy Facility in 2012 (APP/12/01559/F). Condition 3 of the original permission for the LCEF time-limited the facility to 9 January 2027. A variation of Condition 3 was allowed by APP/13/00808/F which extended the permission until 20 June 2036. A further variation of Condition 3 to remove the time limit was allowed by APP/13/01449/F, which introduced a new condition (6). A minor variation to Condition 6 was made in APP/17/00888/F. The wording of the new Condition 6 was identical to the wording of the APP/13/01449/F version, except for the addition of the fourth and fifth planning references.
20. APP/17/00888/F Condition 6: *"The development hereby approved shall only be used in conjunction with operations undertaken in the adjoining buildings approved under Ref:00/31392/006, 04/31392/012, 06/31392/017, 14/00733 & 15/00874 (or any subsequent consents renewing or varying those applications). **If those operations cease then the development hereby approved would be deemed redundant and shall be dismantled and the land returned to its original agricultural state within 2 months.**"*

³ The Decision Notice is included in the appendix to this submission

⁴ Section 5.2, Table 2, pp 20,21

21. It should be noted that the proposal permitted in APP/13/01449/F was for the *"removal of condition 3 of approved APP/13/00808/F to remove the operational time limit and allow the retention of the Low Carbon Energy Facility permanently"*. A condition of this approval was Condition 6, as quoted above (minus reference to 14/00733 & 15/00874).
22. It is the case, therefore, that the retention of the Low Carbon Energy Facility as a "permanent" building is contingent upon the LCEF being operational. Its permanency is qualified by the existence of restoration condition.
23. The implication of the new Framework is that, even if a significant parcel (that occupied by the LCEF) of the proposal land were considered as Previously Developed Land under the previous NPPF, it must now be considered as greenfield land within the Green Belt for planning purposes.
24. Condition 6 of APP/17/00888/F clearly provides for restoration made through development management procedures, and Magwatch submits that this alone brings the LCEF land within the Annex B exclusion. In the further alternative, the cessation of operations of the LCEF means that the restoration trigger in Condition 6 is in any event capable of being engaged.

8. Evidenced unmet need

25. The gateway of GB7(1)(g) mirrors that of paragraph 155 of the December 2024 Framework in all but one important change of word. Magwatch asserts the August 2026 Framework carries the gateway forward and strengthens it, requiring that need to be "*evidenced*" rather than merely being '*demonstrable*'. Magwatch maintains that this wording strengthens the case it put to the Inquiry in its Capacity and Need Proof (CD12 1.12), its Capacity and Need Rebuttal (CD15 1.9), in Magwatch Need Note (ID25) and in ID39 paragraphs 18 to 33.
26. The relevant need for the type of development proposed – a 260,000 tpa EfW residual waste treatment facility – is residual waste, not a generic need for electricity. Any claimed 'unmet need' cannot be taken as electricity generation.
27. W3(2) does not displace this gateway. It removes only the requirement to demonstrate need for renewable or low carbon energy development and electricity network infrastructure; it does not remove the distinct requirement in GB7(1)(g)(ii) for "*an evidenced unmet need for the type of development proposed*". The two address

different subject-matters: energy need on the one hand and, on the other, a need for ‘the type of development’ proposed (in this case, residual waste need). The residual waste treatment need requirements in EN-3 and the DEFRA Capacity Note⁵ remain engaged (alongside the Green Belt requirements to show unmet need).

28. We are aware that the Government’s NPPF consultation document did not list the change in wording from ‘demonstrable’ to ‘evidenced’ as a key change. If the change is deemed to constitute one of the changes to improve ‘clarity’ (mentioned in that document) rather than as a substantive change, that clarification is consistent with, and reinforces, Magwatch’s existing case.

29. For example, the new wording reinforces Magwatch’s existing case that the 2019 Waste Plan forecast cannot simply be treated as determinative of present unmet need. The existing evidential case now must be considered under the new GB7(1)(g) gateway, and the wording ‘evidenced unmet need’ helps clarify that the gateway should be determined by reference to the current evidence on waste arisings and available capacity, which Magwatch maintains indicates that the proposed new capacity is *not* needed (see, for example, ID39 paragraphs 21-26).

9. Waste Policy 21

30. Waste Plan Policy 21 also remains engaged. Magwatch maintains that nothing in the Green Belt section of the August 2026 Framework changes the relevance of WP21 (b), and relies on the evidence it presented to the Inquiry in its Green Belt and Planning Balance section (paragraphs 76-91) of ID39. Neither WP21 (a) nor WP21 (b) are ‘materially inconsistent’ with GB6(2), the wording of which, while containing minor word changes, is substantively the same at paragraph 153 of the December 2024 Framework.

31. Annex A (2) provides that *“development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight”*. Magwatch submits that the waste need and alternative site requirements in Policy 21 are not materially inconsistent with W3(2). If the Inspector were to find inconsistency in some other part of Policy 21, Annex A does not require the whole policy to be given very limited weight. Each relevant limb of Waste Plan Policy 21 is compared with W3(2) and the other national decision-making

⁵ Para 12 of the Introduction to the new Framework state that “There are other national policy statements which must be considered, where relevant, when preparing plans or making decisions on development proposals. These include the government’s National Planning Policy for Waste and relevant Written Ministerial Statements.

policies on a clause-by-clause basis, each on a free-standing basis.

32. The Portland evidence remains particularly material in this context. The new Framework does not remove the relevance of an available (brownfield) alternative outside the Green Belt to the question of need, Policy 21, or very special circumstances.

10. TR3 and sustainable location

33. Failure to locate a development in a sustainable location is an obstacle to development in both the old and the new frameworks. In response to the Appellant's anticipated claim that the proposed development is sustainably located by virtue of its adjacency to existing waste operations and its location in proximity to waste arisings, Magwatch maintains its position presented in CD12 1.12, CD15 1.9 and ID25, and submits that the proposed development fails to meet the requirements of TR3. TR3(1)(a) requires that a sustainable location *"should limit the need to travel"* and TR3(1)(d) *that "environmental impacts of traffic and transport infrastructure should be identified - including taking opportunities to avoid or mitigate any adverse environmental effects"*. The long-haul dependence for residual waste throughput, a single access and exit route, a wide catchment area, cumulative congestion and environmental effects, as demonstrated in CD12 1.12, combine to prevent compliance with TR3.
34. If the Inspector concludes that the proposal is not in a sustainable location for the purposes of GB7(1)(g)(iii), the GB7(1)(g) route fails. The benefits of the proposal cannot be weighed against failure to satisfy a gateway requirement so as to make GB7(1)(g) apply.

11. Gateway policy S5(5)

35. Policy S5 represents a new emphasis in the 2026 Framework and has no direct equivalent in its predecessor.
36. If, contrary to Magwatch's primary case, the Inspector concludes that the proposal falls within a category in GB7 and is therefore 'not inappropriate development', the final sentence of policy S5(5) is engaged.
37. S5(5) provides that development which is not inappropriate in the Green Belt *"should be approved **unless the benefits are substantially outweighed by adverse effects**"*, assessed against the national decision-making policies and applying S5(2).
38. Magwatch submits that, on the evidence before the Inquiry, the adverse effects **substantially outweigh the benefits**. That is consistent with the planning balance advanced throughout Magwatch's case and makes explicit the intended meaning of ID39 paragraphs 77 and 78.

39. S5(2) states, *“In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, **situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.**”*

12. Low carbon energy claims

40. Whilst the first part of Policy W3 (‘Renewable and low carbon energy development⁶ and electricity network Infrastructure’) is broadly similar to NPPF 2024 paragraph 168(a), the second part of the new framework has no equivalent in its predecessor document, and its relevance should be considered. W3(2) states that *“Applicants should not be required to demonstrate the need for renewable or low carbon energy development and electricity network infrastructure. Where proposals for this form of development come forward outside areas which have been identified as suitable for them in the development plan, their acceptability should be assessed against the national decision-making policies in this Framework, taken as a whole.”*

41. Magwatch maintains its position as set out in its Green Belt Evidence (CD12 1.11) and its Closing Submission (ID39) paragraphs 46b) and 54 – 60, which disputed the appellant's claimed renewable and low carbon energy benefits. The proposed development does not fall within the Annex B definition of renewable and low-carbon energy and therefore the proposal should not benefit from W3. The proposal is not consistent with a net zero pathway. This is relevant to interpreting the 2026 Framework climate policies and deciding the weight to be given in the planning balance.

42. We note that W3(2) states: *“...Where proposals for this form of development come forward outside areas which have been identified as suitable for them in the development plan, their acceptability should be assessed against the national decision-making policies in this Framework, taken as a whole”.*

43. A distinction is to be drawn between the waste-site allocation and the identification of the appeal site as ‘suitable’ for the particular form and scale of the proposed development. As demonstrated in CD12 1.12 section 5, the allocation's quantified capacity assumption (c25,000 tpa), site-area limits and development-management qualifications are compared directly with 260,000 tpa and the proposal's footprint (which can be compared with the allocation footprint in Figure 6 (page 17) of CD12

⁶ The Clean Power 2030 Action Plan [CD9 1.10] states that EfW should not be considered as low carbon for the purpose of the Critical National Priority (CNP) for low carbon energy within the context of nationally significant infrastructure.

1.11). The comparison demonstrates a measurable mismatch.

44. Accordingly, Magwatch submits that to the extent framework Policy W3 is considered relevant, the proposal must be assessed against the national decision-making policies in the Framework “taken as a whole” (GB6 or GB7, TR3 or TR6, P3, DP3, N2 or N6 and HE6 are engaged) and that, when those policies are applied to the evidence before the Inquiry, they point firmly **against** the granting of planning permission.
45. In wording almost identical to paragraph 160 of the 2024 Framework, GB6(3) states that, “In the case of proposals for renewable and low carbon energy development, very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources”. The term ‘may’ means that judgement needs to be applied and that this is not an automatic benefit: engagement of GB6(3) depends on proving that the appeal proposal is a renewable or low-carbon energy development, a difficult proof to achieve given the speculative and unrealistic nature of the Appellant’s carbon capture proposals and the 10 year lead-in time for connection to the grid (as noted in ID39, paragraph 46 b.).
46. Magwatch disputes that the proposal would fall within the GB6(3) classification, and therefore concludes that this policy does not apply to the proposed development.

13. Planning Condition

47. DM3 (1e) requires the decision-maker to “*consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations.*” Magwatch maintains its case put forward in its Closing Submission (ID39 paragraph 74) that the planning condition proposed by the Appellant in ID33 is wholly inadequate. Included in the reasoning of this paragraph (point e) is Magwatch’s belief that “the appellant’s proposed wording is inherently problematic”. This runs counter to DM (1c) that planning conditions should be “*sufficiently precise to make them capable of being complied with and enforced*”.

D. Magwatch’s Case: Conclusion

48. Magwatch contends that on most of the issues it addressed in its evidence to the Inquiry, there is no material difference between the new Framework and the 2024 Framework. It maintains the validity of the arguments it presented on the subjects of the natural environment (including landscape, the historic environment) and mental health issues. Most particularly it believes that the Green Belt policies it cited in its case remain substantively unchanged in the new Framework: on Magwatch's primary case, no GB7 category is satisfied and no very special circumstances exist under GB6(2).

Alternatively, if a GB7 route is satisfied, the adverse effects substantially outweigh the benefits under S5(5).

49. In regard to PDL status, the requirement for *evidenced* unmet need, non-sustainable location, and the new gateway S5(5) policy, Magwatch believes its case to have been strengthened by the new Framework.

50. Magwatch maintains the conclusion in its Closing Submission (ID39) at paragraph 81. That essential conclusion – that the appeal should be dismissed – is reinforced, not weakened, by the August 2026 Framework.

Frank Ahern
On behalf of Magwatch
16 September 2026

APPENDIX (overpage)

Decision Notice, APP/17/00888/F, dated 22 March 2018.

Note

This document is provided for the Inspector’s convenience as a copy of material already referred to in the Appellant’s Statement of Case (CD7 1.1), and is available on the LPA’s planning portal. It is not submitted as new evidence. Should the Inspector consider it to go beyond the record already before the Inquiry, Magwatch does not press for its inclusion – Magwatch’s submission on the effect of the August 2026 definition does not depend on the admission of this document. Alternatively, if she thinks it fair, Magwatch invites the Inspector to seek the parties’ comments on the Condition 6 point.

APPENDIX

Growth & Infrastructure - Planning and Building Consultancy

Borough of Poole, Civic Centre, Poole, Dorset, BH15 2RU

Tel: (01202) 633321

Fax: (01202) 633345

Email: planning@poole.gov.uk

Web: www.poole.gov.uk/planning-and-buildings/



Application No: APP/17/00888/F

TO:

Mr Spiller
Chapman Lily Planning Ltd
Unit 5
Designer House
Sandford Lane
Wareham
BH20 4DY

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: WH White Ltd

Case Officer: James Gilfillan

Det Level: Fully Delegated

Location of Development:

New Earth Solutions, Canford Recycling Centre, Arena Way, Wimborne, BH21 3BW

Description of Development:

Variation of Condition 6 of Planning Permission APP/13/01449/F as described in that Description of Development to link approved operations to other adjacent planning consents, ref 14/00733 and 15/00874

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: 22/03/2018

Application No: APP/17/00888/F

Page 1 of 4

Subject to the following condition(s):-

- 1 Planning permission is granted for the erection of a Low Carbon Energy Facility with associated buildings, storage tanks, exhaust stacks, plant and equipment accessed via Arena Way at the Canford Recycling Centre (Site Control Centre), Arena Way, Wimborne in accordance with the terms of the application ref:13/01449, dated 19/02/14, without compliance with Condition no.6 previously imposed on planning permission ref:13/01449 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:

6. The development hereby approved shall only be used in conjunction with operations undertaken in the adjoining buildings approved under Ref:00/31392/006, 04/31392/012, 06/31392/017, 14/00733 & 15/00874 (or any subsequent consents renewing or varying those applications). If those operations cease then the development hereby approved would be deemed redundant and shall be dismantled and the land returned to its original agricultural state within 2 months.

Reason:

Due to the relationship between the on site preparation of feedstocks for the approved process, the integration of waste management facilities and the impact on highway capacity of additional vehicle movements delivering other sources of fuel and in accordance with Policies PCS04 of the Poole Core Strategy 2009, DM01, DM07, DM08 & SSA26 of the Site Specific Allocations and Development Management Policies DPD 2012 and WLP1, WLP2, WLP21, WLP26 & WLP37 of the Waste Local Plan 2006.

Informative Note(s):-

1. 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 application was acceptable as submitted and no modification or further assistance was required
2. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.

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

Application No: APP/17/00888/F

Page 2 of 4

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.

Application No: APP/17/00888/F

Page 3 of 4

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.