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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

**This Permission is subject to a Unilateral Undertaking**

Avison Young  
Wellbar  
36 Gallowgate  
Newcastle Upon Tyne  
NE1 4TD  
FAO: Mr Chris Johnson

**APPLICATION No: 4/26/2132/0F1**

**FULL PLANNING PERMISSION FOR THE ERECTION OF A NEW BUILDING  
PRIMARILY FOR GENERAL INDUSTRIAL, OFFICE AND RESEARCH AND  
DEVELOPMENT (E(G)(I), (II) & (III)), INCLUDING ASSOCIATED CAR PARKING,  
HARD AND SOFT LANDSCAPING, ASSOCIATED INFRASTRUCTURE AND  
BIODIVERSITY ENHANCEMENTS**

**FORMER SPIDA SITE, LECONFIELD INDUSTRIAL ESTATE, CLEATOR MOOR**

**Cumberland Council**

The above application dated 28/04/2026 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The development shall commence not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development shall be undertaken in strict accordance with the approved documents for this planning permission which comprise:

#### Documents

Design and Access Statement, by Norr

Biodiversity Net Gain Assessment & Metric, by Tetra Tech

Ecological Assessment by Tetra Tech

Aboriginal Impact Assessment, ISH-TTE-00-XX-T-O-78524\_V2.by Tetra Tech, dated March 2026 and Revised April 2026.

Tree Survey Report, by Tetra Tech.

Archaeological Desk Based Assessment, by Tetra Tech

Habitats Regulations Assessment, Stage 1 Assessment, by Tetra Tech.

SUDS Management Plan Report, by BGP.

Flood Risk Assessment, by BGP

Drainage Philosophy, by BGP

Site Investigation Phase 1 Study, by Solmek

Phase 2 Site Investigation Report May 2026, RT0 49, Issue 4 as amended, reference ISH SOL-XX-XX-T-Y-0002, by Solmek, received 21/05/26.

Draft Ground Gas Risk Assessment as amended, by Solmek, received 21/05/26

Transport Assessment, by Curtins

Interim Travel Plan, by Curtins.

Air Quality Assessment, by Miller Goodallby NORR

Noise Assessment, by Miller Goodall

RIBA Stage 3 Fire Strategy, OFTR Consultants.

#### Drawings

Site Location Plan, by NORR, drawing no.

Existing Site Plan, by NORR, drawing no.

Site Block Plan Proposed, by NORR, drawing no.

Site Block Plan by NORR, drawing no.

General Arrangement Plan Level 00 by NORR, drawing no.

General Arrangement Plan Level 01 by NORR, drawing no.

General Arrangement Plan Roof by NORR, drawing no.

General Arrangement Plan Cross Sections by NORR, drawing no.

General Arrangement Plan Elevations (North & South) by NORR, drawing no.

General Arrangement Plan Elevations (East & West) by NORR, drawing no. ISH-NOR-19-ZZ-D-A-00101(P)P01

General Arrangement Plan Long Sections by NORR, drawing no. ISH-NOR-19-ZZ-D-A-00201(P)P02

Amended Landscape Site Plan, by ONE Environments, drawing no ISH-ONE -ZZ-ZZ- D-L-00001-P08, received 21/05/2026.

Drainage Plan, by BGP, drawing no. ISH-BGP-19-XX-D-C-19130-P02

Flood Exceedance Plan, by BGP, drawing no. ISH-BGP-19-XX-D-C-19102-P02

Impermeable Areas Plan, by BGP, drawing no. ISH-BGP-19-XX-D-C-19101-P02

SUDS Construction Details, by GDP, drawing no. ISH-BGP-19-XX-D-C-19137-P01

Reason

In order to ensure that the development shall be carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered

## **Pre – commencement Conditions**

### **Highways**

3. The carriageway, footways, footpaths, cycleways, cycle parking etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details shall be submitted to the Local Planning Authority for approval in writing before work commences on site. These details shall include:

- A review of the layout of the cycle parking marked as cycle storage.
- Co-location of the visitor cycle parking with the Cycle Storage.
- Provision of a 3m wide path in front of the Cycle Storage area.

No work shall commence until details and layouts have been approved. Any works approved shall be constructed before the development is complete.

Reason:

To ensure a minimum standard of construction in the interests of highway safety.

4. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority.

The CTMP shall include details of:

- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- Cleaning of site entrances and the adjacent public highway;
- Details of proposed wheel washing facilities;
- The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- Construction vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- Surface water management proposals during the construction phase

Reason:

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

Biodiversity Net Gain

5. The development shall not commence until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority.

The Habitat Management and Monitoring Plan shall include the following:

- I. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years.

- II. A Phasing Strategy for the delivery of the habitat creation and habitat enhancement works.
- III. Planned management activities including details of site-wide aims and objectives.
- IV. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- V. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- VI. Details of monitoring methods and a monitoring reporting schedule.
- VII. Details of adaptive management approaches.

#### Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

6. Within 3 months of the completion of the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by planning condition 5, a completion report, evidencing the completed habitat creation and habitat enhancements shall be submitted to and approved in writing by the Local Planning Authority.

#### Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

7. The habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 5 shall be managed and maintained in accordance with the provisions of approved Habitat Management and Monitoring Plan secured by planning condition 5 for a minimum period of 30 years post completion of the habitat creation and habitat enhancement works.

#### Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

8. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 5 is delivering on its site-wide aims and objectives and habitat condition targets shall be provided.

The Monitoring reports shall be submitted to the Council during years 2, 5, 7, 10, 20 and 25 post completion of the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 5 unless otherwise stated in the Habitat Management and Monitoring Plan secured by planning condition 5.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

Construction Environmental Management Plan (CEMP)

9. No development shall take place until a site-specific Construction Environmental Management Plan (CEMP) been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means during the construction phase of the works:

- To address pollution prevention control
- To reduce the effects of noise including excessive construction noise, vibration and dust,
- To reduce the effects on the local ecological environment during the demolition and construction phase of the works.
- To address impaction of habitats
- Provide a chapter incorporating the Reasonable Avoidance Measures (RAMS) report (Tetra Tech, 2024i).

The development hereby approved shall be carried out in accordance with the approved CEMP.

Reason

To protect amenity and to protect the environment from pollution in accordance with Policy DS9 of the Copeland Local Plan 2021-2039.

#### Surface Water Drainage

10. No development shall commence until a Construction Surface Water Management Plan has been submitted to and approved in writing by the Local Planning Authority.

#### Reason

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems.

#### Ecology

11. A bats-specific lighting scheme shall be designed to minimise light impact during construction on bats and other wildlife. This shall be in accordance with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023) details of which shall be submitted to and approved by the Local Planning Authority before any construction work commences.

#### Reason

To minimise any adverse impact on bats and other wildlife as a result of construction work.

### **Prior to Occupation Conditions**

#### Drainage

12. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Plan / Strategy by BGP, drawing no. ISH-BGP-19-XX-D-C-19130-P02. No surface water will be permitted to drain directly or indirectly into the public sewer.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

#### Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

## **Other Conditions**

### **Permitted Uses**

13. This permission authorises the use of the building hereby approved for the following uses: general industrial (use class B2), offices (use class E (g)(i)), mixed research and development (use class E(g(ii))), light industrial use (use class E(g(iii))) and education and community facility uses (class F1(a & e) only.

### **Reason**

To protect the viability and vitality of neighbouring Cleator Moor Town Centre and to ensure non-conforming uses are not introduced into the area.

### **Unexpected Land Contamination**

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

### **Reason**

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraphs 187 and 196 of the National Planning Policy Framework.

### **Drainage**

15. The surface water drainage SUDS system shall be constructed, maintained and managed in accordance with the approved details.

### **Reason:**

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

### **Ecology - Precautionary Method of Works**

16. All ecological works shall be undertaken according to the Reasonable Avoidance Measures (RAMS) report (Tetra Tech, 2024i).

Reason

To minimise any adverse impact on wildlife.

Travel Plan

17. Within 6 months of the development (or any part thereof) opening for business, the developer shall prepare and submit to the Local Planning Authority for their approval in writing a Final Travel Plan with baseline survey, based on the approved Framework Travel Plan.

This Travel Plan shall identify the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes.

Reason

To aid in the delivery of sustainable transport objectives.

18. Annual monitoring of the Travel Plan shall be undertaken for 5 consecutive years from the baseline survey date. Annual monitoring reports shall be submitted to the LPA within 8 weeks of each survey and shall include: survey datasets, analysis of mode share and trips, progress against targets, measures delivered, proposed adjustments, and any remedial actions where targets are not met.

Reason

To aid in the delivery of sustainable transport objectives.

Noise from Construction Works.

19. Construction activities that are audible at the site boundary shall be carried out only between the following hours. Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday. Deliveries to and removal of plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

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

#### External Materials

20. No superstructure shall be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained for the lifetime of the development.

#### Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

#### Landscaping

21. The development shall be carried out in accordance with the Arboricultural Impact Assessment, prepared by Tetra Tech (ref. ISH-TTE-00-XX-T-O-78524\_V2) dated March 2026 and updated April 2026. All details and mitigation measures outlined in the Arboricultural Impact Assessment shall be implemented throughout the duration of development operations. The development shall thereafter remain in full compliance with the approved document at all times.

#### Reason

To ensure an adequate landscaping scheme in accordance with Policy DS5 of the Copeland Local Plan 2021-2039.

22. The approved landscaping scheme (Ref. Amended Landscape Site Plan, by ONE Environments, drawing no ISH-ONE -ZZ- ZZ- D-L-00001-P08) shall be implemented by the end of the first planting season following substantial completion of the development. Any trees or plants that die, are removed, or become seriously damaged or diseased, within a period of 10 years from the completion of the development, shall be replaced in the next planting season with others of similar size and species, unless written approval is given for a variation.

#### Reason

To ensure an adequate landscaping scheme in accordance with Policy DS5 of the Copeland Local Plan 2021-2039.

## **Informative Notes**

### **Informative - Environment Agency / Land Contamination**

Where a site is affected by contamination responsibility for securing a safe development rests with the developer and/or landowner. Developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

The risk assessment derived from site investigation data shows relatively low concentrations for presence of organic and inorganic contaminants of concern in soils. The leaching tests exhibit concentrations above the target values, but these values are still considered to be low.

Soil and groundwater does not warrant remediation and would not benefit from further quantitative risk assessment given:

- a) the mitigation of impervious capping to reduce leaching impact and
- b) depth and sensitivity of the underlying aquifer.

The low risk implies the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. This approach is supported by paragraph 196 of the National Planning Policy Framework.

### **Informative – Environmental Health**

Please note that full protection for radon is required in the build unless site-specific checks were made that informed otherwise, for further information see [UKradon - Introduction](#)

### **Informative – Biodiversity Net Gain**

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

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

The local planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be on which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for break of planning control.

## **Informative – Ecology**

### **Ecological Supervision**

In order avoid committing a wildlife offence under the Wildlife and Countryside Act 1981 (as amended), the applicant/ developer must employ an Ecological Clerk of Works (ECoW) for the initial clearance works. The ECoW will ensure the avoidance and protection of breeding birds, small mammals, herptiles (if any) and ensure the works adhere to the procedures set out in the CEMP.

### **Amphibians**

Precautionary working methods (PWMs) are recommended during the construction phase to avoid harm to common amphibians. Measures recommended include;

- timing works to minimise any potential impacts pre- and during construction; site clearance should ideally be undertaken between April and October (or in temperatures above 5oC) when amphibians are active (bearing in mind that a nesting bird check will be required);
- any vegetation clearance is recommended to be undertaken under the supervision of an experienced ecologist (under a ECoW) who will give a detailed Toolbox Talk prior to the start of each working day.
- Immediately prior to site clearance works the ECoW shall conduct a walkover of the site and finger-tip search.

- The methods of vegetation removal include a directional two-stage cut (working towards retained habitats on and beyond the site boundaries to maintain connectivity) where a fingertip search by the ecologist will be conducted prior to both cuts. The first cut should be to a height of approximately 15 cm with the second cut to take down to ground level.
- Any existing soil / brash / log piles acting as potential hibernacula should be removed under supervision of the ecologist.
- Any pipes stored, or installed on-site, should be inspected and covered or capped at night to reduce the risk of animals becoming trapped inside. Precautionary measures should be captured within the site's CEMP.

### **Breeding Birds**

- All habitat clearance is to be undertaken outside of the nesting bird season (generally accepted as March to September inclusive). If this is not possible, a nesting bird check undertaken by a suitably qualified ecologist will be required to take place 24 hours prior to clearance works. Once complete, a 24-hour window will allow for the area to be made unsuitable for nesting in the area checked.
- If these works in the checked area are not completed within 24h, a further inspection may be required. Should an active nest be identified all works within a suitable buffer of the nesting site must cease until the young have fledged / nesting ends. The size of the buffer will depend on the species of bird and will be confirmed by the Ecological Clerk of Works (ECoW).

### **Invasive Non-Native Species (INNS)**

- The ECoW should conduct a pre-commencement walkover to check for the presence of INNS, prior to works commencing.
- In the event an invasive species is identified at any point during the works, findings should be reported to a suitably licenced Ecologist. If present, recommend specialist contractor control / eradication plan, no work buffer zones with fencing, consider controlled waste disposal requirement.

### **Informative - Coal**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at

the surface or shallow depth. These hazards can include mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

## **Informative - Drainage**

### **SuDS**

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

## United Utilities (UU) – Drainage

To discuss the drainage proposals the applicant/ developer should contact UU's Developer Services team by email at [SewerAdoptions@uuplc.co.uk](mailto:SewerAdoptions@uuplc.co.uk). Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as a main river).

Management and maintenance of Sustainable Drainage Systems (SuDS) - without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area, including the performance of the public sewer network (where the two systems interact). Therefore, where SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance.

When considering their drainage proposal, it is the applicant's/ developer's responsibility to investigate the existence of any infrastructure that might impact their detailed design. This includes water, wastewater, operational and/or abandoned pipelines. United Utilities will not routinely carry out this assessment when reviewing drainage proposals submitted within a planning application. Where infrastructure exists, the drainage design must comply with the relevant United Utilities guidelines and/or Building Regulations. Further information is available on our website: Working near our pipes - United Utilities. Failure to consider existing infrastructure when designing a drainage proposal may result in the applicant having to redesign proposals at a later date.

### United Utilities' Property, Assets And Infrastructure Water Main

A water main \*\*crosses / is located in the vicinity of\*\* the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: Working near our pipes - United Utilities. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

Based on the information currently available, it is unclear whether sufficient distance is provided between proposed development features and our water asset(s). We recommend the applicant/developer contacts our Water Developer Services team to ensure existing water assets, along with our required access widths, can be accommodated in the proposed layout.

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout. It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in

conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site. Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix, Section 5.0 'Contacts'.

### **Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice



Iain Fairlamb  
Service Manager for Development and Implementation  
Thriving Places

23rd September 2026

**APPROVALS  
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

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

**PART 2**

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>

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 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.
- 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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

**Purchase Notices**

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (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 his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

