



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 23/02682/FUL

Name and address of applicant

Mr Clive Henderson
Turret Hall Cottage
Stone Pit Lane
Croft
Warrington
WA3 7DY

Name and address of agent

MSA Architects
89 High Street
Newton Le Willows
WA12 9SL

Date of Receipt: 25 September 2023

Date Valid: 4 October 2023

Address/Location Of Development:

Wheathill Riding Centre
Naylors Road
Roby
Knowsley
L27 2YA

Description of Development:

**DEMOLITION OF EQUESTRIAN BUILDINGS AND ERECTION OF 4NO.
DWELLING HOUSES TOGETHER WITH ASSOCIATED INFRASTRUCTURE**

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **granted** for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed schedule of materials

Reason: To preserve the character and appearance of the Prescot Conservation Area. In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

4. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall relate to all land surfaces not built upon and shall include:
 - a. Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks.
 - b. hard surfaced areas and materials,
 - c. planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
 - d. existing plants / trees to be retained.
 - e. A detailed regime for the ongoing and longer-term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Prior to the implementation of any landscaping or the removal of trees from the site a scheme for replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include tree replacement for individual and groups of trees on a 2:1 basis. The scheme should include the location, size and species of the replacement trees. The tree planting shall be wholly implemented in its finally approved form in accordance with the approved scheme within the first available planting season following the substantial completion of development.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

5. None of the approved dwellings shall not be occupied until a scheme for provision of lighting of private communal areas, has been submitted to and approved in writing by the Council as Local Planning Authority. The scheme shall be implemented in full

accordance with the approved scheme details prior to first occupation of the development.

Reason: In the interests of residential amenity, security and ecology and to comply with the National Planning Policy Framework; Policies CS2, CS8 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and save Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

6. Reasonable Avoidance Measures shall be implemented on site to prevent harm to mammals (e.g. Hedgehogs and common amphibians) during the construction phase of the development hereby approved in accordance with the following measures:
 - Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;
 - The working area, together with any storage areas, will be kept clear of debris and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them;
 - Any open excavations (e.g. foundations/footings/service trenches) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar to prevent amphibians from seeking shelter beneath them. Any excavation must be infilled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.
 - Larger trenches and excavations should have a means of escape (e.g. a ramp);
 - Any exposed open pipe system should be capped to prevent mammals gaining access; and
 - Appropriate storage of materials of ensure mammals do not use them.

The avoidance measures shall be implemented in accordance with the above details and shall remain in force as such for the full duration of the construction phase of the development:

Reason: To ensure that the development does not cause harm to any protected species in accordance with the National Planning Policy Framework (2021) and Policies CS2 and CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

7. No above ground works shall take place prior to details of the number and location of bat boxes (minimum 1 per dwelling) being submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be installed in accordance with the approved details prior to the first occupation of the dwellings and shall be retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

8. No above groundworks shall be undertaken until a scheme for Noise Mitigation Measures is submitted to and agreed in writing by the Local Planning Authority in accordance with the recommendations set out in the Noise Impact Assessment, Report P23-295-R01v2 dated August 2023 prepared by Hepworth Acoustics. All works which form part of the scheme shall be implemented in full in accordance with the scheme as agreed. Documentary evidence of the works shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: To safeguard residents from noise and disturbance, and to comply with Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
03/10/2023	1944 PL 001	REV B	LOCATION PLAN
25/09/2023	-	-	PRELIMINARY ECOLOGY APPRAISAL
25/09/2023	-	-	NOISE IMPACT ASSESSMENT
24/04/2024	1944 PL 012	REV F	PROPOSED PLOT 1
24/04/2024	1944 PL 013	REV F	PROPOSED PLOT 2
22/04/2024	1944 PL 014	REV D	PROPOSED PLOT 3
22/02/2024	1944 PL 015	REV D	PROPOSED PLOT 4
22/02/2024	1944 PL 010	REV F	PROPOSED BLOCK PLAN
22/02/2024	1944 PL 011	REV F	PROPOSED SITE PLAN
05/03/2024	00504-HTN01	-	HIGHWAYS TECHNICAL NOTE FIGURES & APPENDCIES
05/03/2024	J000504-HTN01A	-	HIGHWAYS TECHNICAL NOTE

REASON(S) FOR THE GRANTING OF PLANNING PERMISSION

The decision to grant planning permission has also been taken having regard to the policies and proposals as set out below, and to all relevant material considerations including supplementary planning guidance:-

CS2 - Development Principles
CS5 - Green Belt
CS8 - Green Infrastructure
CS19 - Design Quality and Accessibility in New Development
CS21 - Greenspaces and Trees
DQ2 - Security in the Built Environment
ENV5 - Contaminated Land

This informative is only intended as a summary of the reason(s) for the granting of planning permission. Should you require any further details relating to the decision please contact the relevant case officer (John Fleming on 0151 443 2216)

ARTICLE 35 STATEMENT

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

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

- a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
 - 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
 - a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached then you will be liable to a breach of condition notice.

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;

1. See below comments from United utilities

Dear Planning Team

Location: Wheathill Riding Centre, Naylors Road, Roby, Knowsley, L27 2YA.

Proposal: Demolition Of Equestrian Buildings And Erection Of 4no. Dwelling Houses.

United Utilities provides the following comments to support the Local Planning Authority in their determination of the planning application detailed above, and to direct the applicant to further sources of support and guidance on matters that might impact their proposal.

The letter and Appendix should be read in their entirety to support the determination, the design, and should the scheme be approved, the subsequent delivery of the proposal.

DRAINAGE

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Knowsley Council - 23/02682/FUL

Our ref - DC/23/3857

Date - 14-NOV-23

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also 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 4.0 'Contacts'

We request that a copy of this letter and the Appendix is made available to the applicant.

Yours faithfully

The Planning, Landscape and Ecology Team

APPENDIX:

Supporting information for the decision maker, applicant, developer and any other interested party.

Whilst we provide the following information to support the design and delivery of the proposed scheme, we strongly recommend that the applicant, or any subsequent developer, contacts our Developer Services team at the earliest opportunity, using our free pre-development enquiry service, to ensure they have fully considered all aspects of development and to avoid any potential issues or unexpected costs at a later date.

Full details of the services offered to developers, guidance and application forms are available on our website: www.unitedutilities.com/builders-developers/

1.0 DRAINAGE DESIGN

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewerage Sector Guidance Appendix C - Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout.

If the proposal incorporates a SuDS component(s) which interacts with a sewer network that may be offered for adoption by United Utilities we recommend the applicant seeks further advice regarding the SuDS design; detailed information is available on our website.

Our acceptance of any drainage strategy submitted by an applicant to the Local Planning Authority for approval does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design has been submitted directly to United Utilities, assessed and accepted in writing. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

2.0 UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

2.1 Water pipelines

United Utilities will not allow building over or in close proximity to a water main. For any works in the vicinity of water pipelines, the applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/> .

2.2 Wastewater pipelines

United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details).

2.3 Water and wastewater pipelines and apparatus

A number of providers offer a paid for mapping service, including United Utilities (see 'Section

4. Contacts' (below). The position of the underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. Therefore, we strongly recommend the applicant, or any future developer, does not rely solely on the asset maps to inform decisions relating to the detail of their site and instead investigates the precise location of any underground pipelines and apparatus. Where additional information is requested to enable an assessment of the proximity of proposed development features to United Utilities assets, the proven location of pipelines should be confirmed by site survey; an extract of asset maps will not suffice. The applicant should seek advice from our Developer Services team on this matter. See 'Section 4. Contacts' (below). United Utilities Water will not accept liability for any loss or damage caused by the actual position of our assets and infrastructure being different from those shown on asset maps.

Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground assets is submitted to United Utilities and subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include sustainable drainage features, earth movement and the transport and position of construction equipment and vehicles.

Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/> . The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction activities in close proximity to water pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently in operation.

It is the applicant's responsibility to ensure that United Utilities' required access is provided within any proposed layout and that our infrastructure is appropriately protected. The

developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity.

3.0 WATER AND WASTEWATER SERVICES, METERING AND CHARGES

If the applicant intends to receive water and/or wastewater services from United Utilities they should visit our website or contact the Developer Services team for advice at the earliest opportunity. This includes seeking confirmation of the required metering arrangements for the proposed development. See 'Section 4. Contacts' (below).

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the connection(s) will be suitable for the new proposal or that any existing metering arrangements will suffice. In addition, if reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20232024/> and go to section 7.7 for compulsory metering.

To promote sustainable development United Utilities offers a reduction in infrastructure charges to applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). For further information, we strongly recommend the applicant visits our website when considering any water or wastewater design <https://www.unitedutilities.com/builders-developers/your-development/planning/building-sustainable-homes/>

Business customers can find additional information on our sustainable drainage incentive scheme at <https://www.unitedutilities.com/Business-services/retailers/incentive-schemes/>

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services and metering arrangements, at the earliest opportunity. See 'Section 4. Contacts' (below).

4.0 CONTACTS

For advice on your development contact our DEVELOPER SERVICES team as follows:

Website (including 'Live Chat'): <http://www.unitedutilities.com/builders-developers.aspx>

Email: WATER (water mains, supply and metering): DeveloperServicesWater@uuplc.co.uk

WASTEWATER (public sewers and drainage): SewerAdoptions@uuplc.co.uk

Telephone (Monday-Friday, 8am-6pm): 0345 072 6067

PROPERTY SEARCHES (FOR ASSET MAPS):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

UNITED UTILITIES LEGAL SERVICES (FOR EASEMENT DOCUMENTS):

Copies of relevant deeds may be purchased from United Utilities Legal Services. This information is also available from Land Registry.

To purchase a copy of easement documents from United Utilities, please email: LegalServices@uuplc.co.uk

2. Breeding birds are protected under the general provision of Section 1 of the Wildlife and Countryside Act 1981 as amended. Whilst the nest is being built or is in use, the eggs, young and nest are protected against intentional and reckless taking, damage and destruction. No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1 March to 31 August inclusive to protect breeding birds.
3. Please see below comments from Mersey Fire And Rescue

Dear Sir/Madam,

THE TOWN AND COUNTRY PLANNING ACT 1990

PLANNING APPLICATION NUMBER REF: 23/02682/FUL

PROPOSAL: DEMOLITION OF EQUESTRIAN BUILDINGS AND ERECTION OF 4NO.
DWELLING HOUSES TOGETHER WITH ASSOCIATED INFRASTRUCTURE

ADDRESS: Wheathill Riding Centre Naylor's Road Roby Knowsley L27 2YA

The Fire Authority requests that any decision notice includes the following information;

The plans relating to the above application have been examined and below are the Fire Authority's observations:

- Access for fire appliances should comply with the requirements of Section B5, Schedule 1 of the Building Regulations. Provisions for access will depend on the size and use of the building. The design of the access route, for example minimum road widths and maximum reversing distances, should also be considered (Appendix A, attached).
- In accordance with Section 55 of the County of Merseyside Act 1980, the position of the premises should not compromise or impede existing means of fire service access to a neighbouring building.
- Water supplies for firefighting purposes (Appendix B) should be risk assessed in accordance with the undermentioned guidance in liaison with the water undertakers (United Utilities - 0161 907 7351) with suitable and sufficient fire hydrants supplied.
- Housing
Housing developments with units of detached or semidetached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi occupied housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development.

Further information regarding access requirements can be found in the current version of Approved Document B, which is available for free download via: <https://www.gov.uk/government/publications/fire-safety-approved-document-b> Should you require any further information in respect of this correspondence please contact the Officer named above

Yours faithfully

Alison Harrison

Authorised Fire Safety Inspecting Officer
And on behalf of Merseyside Fire and Rescue Authority

Executive Director - Regeneration and Economic Development

Date: 14 May 2024

IMPORTANT NOTES FOR YOUR ATTENTION:

- 1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.**
- 2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.**
- 3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.**
- 4. A fee is normally payable to discharge planning conditions in accordance with government regulations.**
- 5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.**
- 6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.**

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.
- As this is a decision 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.
- 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 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.