

Refusal of planning permission or grant of permission subject to conditions and other information.

The applicant's right to appeal and other information

1. Appeals to the Secretary of State

- If you are unhappy about the Council's decision to refuse planning permission 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.
- You must submit your appeals within 6 months of the date of decision, unless it is an appeal against a decision to refuse planning permission for a householder application, or an appeal the same or substantially the same development is subject to an enforcement notice.
- For appeals against a decision to refuse planning permission for a householder application you must submit your appeal within 12 weeks of the date of the decision.
- For appeals against a decision to refuse planning permission where the same or substantially the same land and development is subject to an enforcement notice, you must submit your appeal either:
 - Within 28 days of the date of decision or the expiry of the period which the Council had to decide the application; or
 - Within 28 days from the date the enforcement notice is served providing this does not extend the period beyond the time limit for appeals which do not involve an enforcement notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally 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 him 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.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Note: Refusal of planning permission includes refusal of applications for non material amendments, extension of time limits and variation of conditions including minor material amendments.