



Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant	Name and address of agent (if any)
Welland Waste Management Ltd Pebble Hall Bosworth Road Theddingworth Northamptonshire LE17 6NJ	GP Planning Ltd The Stables Long Lane East Haddon Northamptonshire NN6 8DU

Part I - Particulars of application

Date of Application	Application No.
20 th May 2016	NCC Ref: 15/00022/WASFUL DDC Ref: DA/2016/0561

Particulars and location of development

Construction of a temporary wood storage yard including recontouring of land, concrete base, 2 storage lagoons, concrete storage bays, weighbridge, 2 water storage tanks and landscape planting at Pebble Hall Farm, Theddingworth Road, Marston Trussell, Northamptonshire, LE17 6NJ

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

Commencement and Compliance

1. The development hereby permitted shall be begun before the expiry of **THREE YEARS** from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act as amended by the Planning and Compulsory Purchase Act 2004.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.

Scope of the Permission

2. Except as otherwise required by conditions attached to this planning permission the development hereby permitted shall be carried out in accordance with the following approved documents:

Planning Documents

- Application Forms dated 12th May 2016
- Planning Statement dated May 2016

Drawings

- Drawing No. GPP/WWM/PHWY/15/01 Revision 1 – Site Location Plan
- Drawing No. GPP/WWM/PHWY/15/02 Revision 3 – Site Plan
- Drawing No. GPP/WWM/PHWY/15/03 Revision 3 – Existing Site Layout Plan
- Drawing No. GPP/WWM/PHWY/17/04 Revision 1 – Proposed Site Layout Plan
- Drawing No. GPP/WWM/PHWY/16/05 Revision 3 – Receptor Location Plan
- Drawing No. GPP/WWM/PHWY/16/06 Revision 3 – Proposed Storage Bays – Indicative Elevations
- Drawing No. GPP/WWM/PHWY/16/08 Revision 1 – Catchment Area Plan

Technical Reports/Supporting Environmental Statement

- Agricultural Land Quality Report, ref TOHA/16/6024/RWA dated 10th March 2016 prepared by Tim O'Hare Associates
- The Management of Fugitive Dust Emissions, Letter Report dated 9th May 2016, prepared by GF Environmental Limited
- Noise Assessment, dated January 2017, prepared by LFA Acoustics
- Flood Risk Assessment, Revision D, dated 7th February 2017, prepared by Abington Consulting Engineers
- Landscape and Visual Impact Assessment, dated April 2016, prepared by Watkins Design Associates Ltd. and updated assessment Letter Report dated 21st January 2017
- Archaeology Desk Based Assessment, ref MD/21556, dated 11th May 2016, prepared by CgMs Consulting
- An Archaeological Evaluation, ref ULAS Report NO. 2016-151, dated 2nd November 2016, prepared by University of Leicestershire Archaeological Services
- Extended Phase 1 Habitat Survey Report, ref. ECO/JT/PH 0317, dated March 2017 prepared by Jonathan Tye

Reason: To specify the approved documents in the interests of amenity.

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Waste Wood Inputs

3. The total amount of wood waste to be imported to the permitted REGF facility (approved under planning permission 13/00098/WASFUL) in connection with the development hereby permitted and planning permission 17/00017/WASFUL shall not exceed a combined total of 72,000 tonnes per annum.

Reason: To define the scope of the permission and in the interest of clarity, amenity protection and highway safety having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Waste Types

4. The developer shall ensure that systems are in place to ensure that the site accepts and processes only wood waste of a non-hazardous nature and that systems are in place to deal with any prohibited wastes delivered to site. A management plan with details of the systems to be employed shall be submitted to the Waste Planning Authority for agreement in writing prior to waste imports to the site commencing. The management plan shall thereafter be implemented and maintained.

Reason: To restrict the waste types in the interests of amenity and the environment having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Hours of Working - Operational Phase

5. Except in emergencies (which shall be notified to the Waste Planning Authority as soon as practicable) the shredding of wood waste and all waste and other external delivery and collection vehicles, shall be restricted to between the hours of 07.00 hrs and 18.00 hrs Mondays to Fridays and 8.00 hrs to 13.00 hrs Saturdays with no such operations on Sundays or Public and Bank Holidays.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Hours of Working - Construction Phase

6. Except as otherwise approved in writing by the Waste Planning Authority all external construction activities associated with the development hereby permitted shall be restricted to between the hours of 07.00 hrs and 19.00 hrs Mondays to Fridays and 07.00 hrs to 16.00 hrs Saturdays with no construction activities on Sundays or Public and Bank Holidays.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

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Access and Highway Safety

7. The development hereby permitted shall not be commenced unless and until planning permission has been obtained from Leicestershire County Council for use of the vehicular access in connection with the development hereby permitted, and any pre-commencement conditions discharged.

Reason: In the interests of highway safety and in accordance with Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Vehicle Sheeting/Mud on the Road

8. All operational vehicles arriving at and leaving the site shall be appropriately covered so as to prevent material spillage, wind blow and dust nuisance.

Reason: In the interests of highway safety and local amenity having regard to Policies 22 and 27 of the Northamptonshire Minerals and Waste Local Plan (2014).

9. All operational vehicles leaving the site shall be cleansed to ensure they are free of mud and other debris to ensure no mud or other debris is deposited on the public highway.

Reason: In the interests of highway safety and local amenity having regard to Policies 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (2017).

Storage and Processing

10. No external deposit, processing or storage of wood waste, including packaging; shall take place on site outside of the REGF building other than in the wood waste reception and storage areas identified on Drawing No. GPP/WWM/PHWY/17/04 Revision 1.

Reason: In the interests of amenity protection and pollution control having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Stockpile/Storage Bay Heights

11. No waste wood shall be stockpiled or stored within the storage bays at a height greater than 4 metres and shall only be in the storage bay locations identified on Drawing No. GPP/WWM/PHWY/17/04 Revision 1. The storage bays shall be controlled and managed to ensure no spillage and litter accumulation.

Reason: In the interests of visual amenity and having regard to Policy 18 of

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the Northamptonshire Minerals and Waste Local Plan (2017).

Noise

12. All plant, equipment and machinery required in connection with the development hereby permitted shall be maintained in accordance with the manufacturer's specification.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

13. No vehicles/HGVs or mobile plant used exclusively on site shall be operated on site unless they have been fitted with white noise alarms or other non-tonal alarm as may be agreed in writing with the Waste Planning Authority.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Dust

14. Prior to the commencement of the development a scheme and programme for the suppression of dust from all site operations shall have been submitted to and approved in writing by the Waste Planning Authority. The scheme as agreed shall be implemented in full from the date of commencement of the development notified in accordance with Condition 1 for the duration of the development. The scheme shall also include suitable measures which shall be adopted to ensure dust is kept to a minimum including the use of water spray facilities in periods of dry weather for operational areas outside the building, including hard surfaces and roadways.

Reason: To safeguard amenity having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

External Lighting

15. No external lighting shall be erected or installed on site until a scheme has been submitted in writing and approved by the Waste Planning Authority. The scheme shall include a layout plan that covers all new proposed external lighting and details the proposed beam orientation and schedule of equipment in the design, including luminaire type, mounting height, aiming angles and luminaire profiles. In addition a lighting contour map shall be submitted along with detail of the proposed operating hours for the lighting and how these shall be controlled. The approved scheme shall be installed, maintained and operated in full accordance with the approved details for the lifetime of the development.

Reason: In the interests of amenity, ecology, site security and sustainability having regard to Policy 18 of the Northamptonshire Minerals and Waste Local

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Plan (2017).

Surface Water Drainage

16. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by Abingdon Consulting Engineers, 7th February 2017) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented and maintained in accordance with approved details. Details of the scheme shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
- b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

17. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Waste Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require maintenance and replacement within the lifetime of the proposed development.

Reason: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

Landscape

18. Within **TWO MONTHS** of the date of this permission, a revised landscaping scheme for the Pebble Hall Farm complex shall have been submitted to and approved in writing by the Waste Planning Authority. The scheme, including any amendments required by the Waste Planning Authority, shall inter-alia include:

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- i. types, number and size of species (including a proportion of larger specimens) proposed with a focus on native species but incorporating a proportion of evergreen species to achieve greater all year screening;
- ii. details of the visual screening bunds to be created;
- iii. proposed ecological/biodiversity enhancement proposals;
- iv. incorporate measures to rectify slow growth and failure from previous planting undertaken at the Pebble Hall Farm Complex;
- v. timescales for planting and phasing;
- vi. details of maintenance programme including the submission of the annual monitoring report to the Waste Planning Authority

The approved scheme shall be implemented in full as approved in writing by the Waste Planning Authority and thereafter maintained in accordance with a maintenance schedule.

Reason: To ensure that the site is adequately screened in the interests of local visual amenity, in the short and long-term, and biodiversity, having regard to Policies 18, 20, 21 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

19. Any trees or shrubs which die or for any other reason fail to become established within five years of planting shall be replaced during the following planting season with trees and shrubs of a size and species (including a proportion of larger specimens) to be submitted and agreed in writing with the Waste Planning Authority. All landscaping shall be carried out in accordance with the landscaping scheme approved under condition 18 and to a standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice.

Reason: To ensure that the site is adequately screened and in the long-term interests of local visual amenity having regard to Policies 18 and 24 of the Northamptonshire Minerals and Waste Local Plan (2017).

Ecology

20. The development hereby permitted shall take place entirely in accordance with the recommendations set out in Section 8.0 of the submitted Extended Phase 1 Habitat Survey Report dated March 2017 and include the mitigation measures set out in Section 7.0. The vegetation clearance and other further surveys and inspections on the recommendations of the Extended Phase 1 Habitat Survey shall be supervised by a qualified ecologist.

Reason: In the interests of biodiversity having regard to Policy 21 of the Minerals and Waste Local Plan (2017).

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Protection of Breeding Birds

21. Operations that involve the destruction and removal of vegetation or buildings shall not be undertaken during the months of March to August inclusive, except when previously approved in writing by the Waste Planning Authority, once a survey report has been submitted to establish that breeding birds will not be adversely affected.

Reason: To provide protection to breeding birds having regard to Policy 20 of the Minerals and Waste Local Plan (2017).

Fire Risk Management Plan

22. Within 3 months of the date of the permission, a Fire Risk Management Plan (FRMP) shall have been submitted to and approved in writing by the Waste Planning Authority. The plan shall also include measures to mitigate the risk of fire associated with waste storage on the site. The plan shall be fully implemented and subsequently maintained, in accordance with the plan, unless any changes are subsequently agreed in writing by the Waste Planning Authority. In the event that any of the measures stipulated in the FRMP conflict with measures subsequently agreed as part of the Environmental Permit for the waste facility then the measures specified in the FRMP shall be superseded by the conflicting measures in the Environmental Permit.

Reason: In the interests of safety having regard to Policy 23 of the Northamptonshire Minerals and Waste Local Plan (2017).

Reinstatement

23. In the event of the REGF operations ceasing for a period in excess of 12 months, the site shall be reinstated to an agricultural standard in accordance with a scheme to be submitted to the Waste Planning Authority within 3 months of the cessation and approved in writing. The approved scheme shall be implemented in full, in accordance with the agreed timescales.

Reason: To safeguard amenity and landscape character should the development be temporary having regard to Policies 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (2017).

24. Prior to the commencement of soil stripping or handling of topsoil or subsoil a soil management scheme must be submitted to and approved in writing by the Waste Planning Authority. The scheme shall identify the locations for the placement of topsoil and subsoil storage areas to enable future recovery for use in reinstatement of the site for agricultural use. The development shall be implemented in accordance with the approved scheme.

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Reason: To ensure the retention of existing soils on the site for restoration purposes and to minimise the impact of the development on the locality having regard to Policies 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (2017).

25. Unless otherwise agreed in writing by the Waste Planning Authority, all topsoil, subsoil and soil making material shall only be handled when in a dry and friable condition.

The criteria for determining dry and friable shall be based on a field assessment of the soil's wetness in relation to its lower plastic limit. An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plastic glass square) using light pressure from the flat of the hand. If a long thread of less than 3 millimetres diameter can be formed, the soil is wetter than the plastic limit, and soil movement should not take place until the soils have dried out. If the soil crumbles before a long thread of 3 mm diameter can be formed, then the soil is dry enough to move.

This assessment shall be carried out on representative samples of each major soil type.

Reason: To minimise the structural damage and compaction of the soil and to aid the final restoration of the site having regard to Policies 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (2017).

26. An aftercare scheme detailing the steps that are necessary to bring the land to the required standard for agricultural use shall be submitted to and approved in writing by the Waste Planning Authority prior to commencement of restoration works/infilling/the placement of soils on site. The submitted Scheme shall:

- i. Provide an outline strategy for the five year aftercare period. This shall specify steps to be taken and the period during which they are to be taken. In the case of agriculture the scheme shall include provision of a field drainage system and provide for an annual meeting between the applicants and the Waste Planning Authority.
- ii. Provide for a detailed annual programme to be submitted to the Waste Planning Authority not later than two months prior to the annual Aftercare meeting.
- iii. Unless the Waste Planning Authority agree in writing with the person or persons responsible for undertaking the Aftercare steps that there shall be lesser steps or a different timing between steps, the Aftercare shall be carried out in accordance with the submitted Scheme.

The development shall be implemented in accordance with the approved aftercare scheme.

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Reason: To ensure the satisfactory restoration of the site for agriculture and having regard to Policies 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (2017).

Catchment Area

27. All waste materials to be processed on the site shall originate from locations within the area shown on the submitted 'Catchment Area Plan' reference: GPP/WWM/PHWY/16/08 Revision1.

Reason: To ensure that waste materials are dealt with close to their source in order to prevent the long distance travelling of imported wastes having regard to Policy 10 and 12 of the Northamptonshire Minerals and Waste Local Plan (2017).

28. The operating company shall submit an annual report in writing to the Waste Planning Authority within one month of the first anniversary of operations commencing and at 12 monthly intervals thereafter. The annual report shall incorporate such records that demonstrate compliance with the Catchment Area Plan (Condition 27).

Reason: To ensure that waste materials are dealt with close to their source in order to prevent the long distance travelling of imported wastes having regard to Policy 10 and 12 of the Northamptonshire Minerals and Waste Local Plan (2017).

Complaints

29. In the event that complaints regarding odour, noise, lighting and/or dust are received by the Waste Planning Authority from any sensitive receptor, and thereafter notified to the operator, an assessment of the complaint shall be undertaken by the operator. A report on the findings, with proposals for removing, reducing or mitigating identified adverse effects resulting from the operation, and a programme for the implementation of remedial measures and works to be undertaken shall be submitted to the Waste Planning Authority for agreement in writing no later than five working days from the receipt of the complaint, unless a later date is otherwise agreed in writing by the Waste Planning Authority. The remedial measures agreed in writing shall thereafter be implemented and maintained thereafter.

Reason: In the interests of amenity protection having regard to Policy 18 of the Northamptonshire Minerals and Waste Local Plan (2017).

End Date of Temporary Permission

30. The development hereby permitted shall cease 25 years from the date of the commencement of this permission as required to be notified under Condition 1 of this permission and the application site shall be reinstated in accordance with the requirements of Condition of this permission.

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Reason: To safeguard amenity and landscape character should the development be temporary having regard to Policies 18 and 23 of the Northamptonshire Minerals and Waste Local Plan (2017).

Water Tank

31. Prior to the commencement of development, details of the relocation of the south eastern water tank shall be submitted to and approved in writing by the Waste Planning Authority. The approved details shall thereafter be implemented in full.

Reason: In the interests of safety having regard to Policy 23 of the Northamptonshire Minerals and Waste Local Plan (2017).

Removal of Permitted Development Rights

32. Notwithstanding the provisions of Part 7 Class H, I, J and L of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order), except for those detailed in the application, no fixed plant or machinery, buildings, structures and erections or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without prior planning permission from the Waste Planning Authority.

Reason: To ensure that control is retained over any additional, or extended, buildings plant and structures in the interests of amenity and the environment having regard to Policy 18 of the Minerals and Waste Local Plan (2017), and Policy S10 of the West Northamptonshire Core Strategy Local Plan (December 2014)

POSITIVE AND PROACTIVE MANNER STATEMENT

In determining this planning application, the Waste Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Date 3rd November 2017 Signed G.P. Watson

For Assistant Director of Environment,
Planning and Transport

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1. *If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements (a), to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.*
2. *If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.*
3. *In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.*
 - a) *The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.*
4. *Guidance on using the Planning Portal's online appeals service, see leaflet PCS4 available at:*

http://www.planningportal.gov.uk/PpWeb/jsp/redirect.jsp?url=http%3A//www.planningportal.gov.uk/uploads/pins/pcs_a5_leaflet.pdf

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