

TOWN AND COUNTRY PLANNING ACT 1990

Full planning permission

APPLICATION NO: PA/2023/422

**North
Lincolnshire
Council**

Address/Agent:

Colin Turnbull
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LONDON
EC4V 5EQ

Applicant: Development Manager, Phillips 66 Limited

North Lincolnshire Council hereby gives notice that the application received on 16/03/2023 for:

Planning permission for the construction and operation of a post-combustion carbon capture plant, including carbon dioxide compression and metering, cooling equipment, stacks, substations, new and modified services, connections, internal roads, new access onto Eastfield Road, and maintenance and laydown areas (EIA development) at Phillips 66 Ltd, Eastfield Road, South Killingholme, DN40 3DW

has been considered and that permission for this development in accordance with the plans and written particulars submitted has been granted subject to the following conditions and reasons:

1.

The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2.

Save for the Permitted Preliminary works, commencement of development shall not take place until a scheme for the phasing of the works comprised in the development has been submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the scheme approved in unless otherwise agreed in writing by the Local Planning Authority.

Reason

To allow the development to be carried out in phases, or a single phase, depending on the requirements of the developer and in the interest of proper planning.

3.

The development hereby permitted, or each phase thereof, shall be carried out in accordance with the following submitted parameter drawings:

- Plans Ref. 215005-00703-00-AR-DXG-3001, Carbon Capture Unit Plot Plan.
- Elevations Ref. 215005-00703-00-AR-DXG-30002, Carbon Capture Unit Elevations.
- Elevations Ref. 215005-00703-00-AR-DXG-30003, FCC Modifications Elevations.
- Elevations Ref. 215005-00703-00-AR-DXG-30004, Substation SS23 Elevations and Plans.

Reason

For the avoidance of doubt and to ensure that the developments is carried out in strict accordance with the details approved.

4.

No development hereby permitted, or phase thereof, save for the Permitted Preliminary Works, shall commence until details of the final layout of the specified phase of development has been submitted to and approved in writing by the Local Planning Authority. Such details shall be in general conformity with the following submitted indicative plans.

- General Plan Ref. 215005-00703-00-AR-DXG-10001, Proposed Carbon Capture Unit Plot Plan.
- Permanent Access General Arrangement, Ref. 60668866-0001 Rev P01.
- Temporary Access General Arrangement, Ref. 60668866-0004 Rev P01.

unless accompanied by a functional or safety explanation, or as otherwise agreed in writing by the Local Planning Authority . Any written agreement is to be within the parameters stated in the Environmental Statement (AECOM, February 2023).

Reason

For the avoidance of doubt and to ensure that the development is carried out in strict accordance with the details approved.

5.

No development hereby permitted, or phase thereof, save for the Permitted Preliminary Works, shall commence until details of the external appearance and scale of the specified phase of development has been submitted to and approved in writing by the Local Planning Authority.

Such details shall be in general conformity with the following submitted indicative drawings:

- Proposed Elevations Ref. 215005-00703-00-AR-DXG-20001 Main Capture Plant.
- Proposed Elevations Ref. 215005-00703-00-AR-DXG-20002 FCC Modifications.
- Proposed Elevation and Plan View substation SS23 Ref. 215005-00703-00-AR-DXG-20003.
- Civil Layout Ref. 215005-00703-CI DAL 00003 Construction Building.
- Layout Drawing H08 IEH Layout Ref. 215005-00703-08-IC-DAL 00039.

unless accompanied by a functional or safety explanation, or as otherwise agreed in writing by the Local Planning Authority. Any written agreement is to be within the

parameters stated in the Environmental Statement (AECOM, February 2023).

Reason

For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved.

6.

Construction, demolition and site clearance operations may only take place on the following days and hours, unless otherwise agreed in advance with the Local Planning Authority:

- 07:00 to 19:00 hours Monday to Friday;
- 07:00 to 13:00 hours Saturday.
- No construction, demolition or site clearance operations on Sundays or public holidays.

These restrictions do not apply to construction, demolition, site clearance and execution works which:

- are associated with an emergency; or
- does not exceed the agreed noise limits at receptors stated in Chapter 7 of the Environmental Statement (AECOM, February 2023), which have been determined in accordance with the British Standard 5228 ABC methodology; or

are carried out with the prior approval from the Local Planning Authority.

Reason

For the protection of residential amenity in accordance with the Local Plan Policy DS1.

7.

No development hereby permitted, or phase thereof, save for the Permitted Preliminary Works, shall commence until a Construction Environmental Management Plan (CEMP), for the development or that phase, as applicable, in conformity with the submitted outline CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

Noise and vibration: The CEMP shall set out the particulars of -

- a) The works, and the method by which they are to be carried out;
- b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- c) a scheme for periodic monitoring, or responding to any complaints regarding, noise and vibration during the works.

Light: The CEMP shall set out the particulars of -

- a) Specified locations for contractors' compounds and material storage areas;
- b) areas where lighting will be required for health and safety purposes;
- c) location of potential temporary floodlights;
- d) identification of sensitive receptors likely to be impacted upon by light nuisance;
- e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust: The CEMP shall set out the particulars of -

- a) Site dust monitoring, recording and complaint investigation procedures;
- b) identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- c) provision of water to the site;
- d) dust mitigation techniques at all stages of development;
- e) prevention of dust trackout;
- f) communication with residents and other receptors;
- g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- h) a no burning waste policy.

Reason

For the protection of residential amenity in accordance with the Local Plan Policy DS1.

8.

No Abnormal Indivisible Loads (AIL) may access the site until the new access from Eastfield Road has been completed in accordance with details submitted to and approved in writing by the Local Planning Authority. The details submitted shall include a full set of engineering drawings that have been subject to a Stage 2 Road Safety Audit.

Reason

In the interest of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

9.

(i) Prior to the authorised development coming into operation, details of the operational access and a programme for its implementation must be submitted to and approved in writing by the Local Planning Authority. The details shall include a full set of engineering drawings that have been subject to a Stage 2 Road Safety Audit.

(ii) Within 7 days of the authorised development coming into operation, the local planning authority shall be notified in writing of this occurrence.

(iii) Within 12 months (or any such different time period that is first agreed in writing with the Local Planning Authority) of the notification in part (ii), the details approved under part (i) must be implemented in full.

Reason

In the interest of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

10.

No development, or phase thereof, shall take place, save for the Permitted Preliminary Works, until a Construction Workers Travel Plan for the development or that phase, as applicable, has been submitted to and approved in writing by the Local Planning Authority. The plan approved shall thereafter be implemented in full unless otherwise agreed by the Local Planning Authority.

Reason

In the interest of sustainable forms of travel and to comply with Policy T5 of the North Lincolnshire Local Plan.

11.

No development, or phase thereof, save for the Permitted Preliminary Works, shall take place until a construction phase traffic management plan for the development or that phase, as applicable, showing details of:

- i. a pre/post construction condition survey, being a visual inspection for the length between the new site access and the junction with the A160 Humber Road, of the carriageway to identify any defects and how they will be rectified;
- ii. all associated traffic movements, including delivery vehicles and staff/construction movements;
- iii. any abnormal load movements;
- iv. contractor parking and welfare facilities;
- v. storage of materials; and
- vi. traffic management requirements, including the means of controlling the deposition of mud onto the adjacent highway, along with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the Local Planning Authority. in consultation with National Highways. Thereafter, the construction shall be carried out in accordance with the agreed plan.

Reason

In the interest of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan and to safeguard free flow of traffic on the Strategic Road Network.

12.

Within 24 months of the development ceasing to be required for the purposes of carbon capture, the following documents shall be submitted to the Local Planning Authority for their written approval:

- (i) a Decommissioning Environmental Management Plan;
- (ii) a scheme for the demolition and removal of redundant buildings and structures from the site and restoration of the site.

The scheme in (ii) shall include a written explanation of which buildings and structures, if any, are not redundant, making reference to their potential for reuse.

The plan in (i) and the scheme in (ii) shall be implemented in full within 24 months of approval, unless such other period is agreed in writing by the Local Planning Authority.

Reason

In the interest of human safety and to accord with policy DS1 of the North Lincolnshire Local Plan.

13.

- (i) No development, or phase thereof, save for the Preliminary Permitted Works,

shall take place until a detailed surface water drainage scheme for the development or that phase, as applicable, for that phase has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be based upon the submitted Drainage Strategy Document, Appendix 9C.3 submitted by Humber Zero, dated:24 April 2023 on the portal. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on the current national guidance will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. SuDS must be considered in accordance with current Planning Practice Guidance insofar as it is practicable within the existing operational oil refinery site.

Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above ground solutions.

(ii) The developer shall notify the Local Planning Authority 12 weeks prior to the anticipated date of coming into service of each phase for the purpose of Condition 14.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

14.

The drainage scheme for any phase shall be implemented in accordance with the details for that phase as submitted and approved pursuant to condition 13 and shall be completed prior to that phase coming into service and thereafter retained and maintained in accordance with the scheme throughout the operation of the authorised development unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

15.

No phase of development comprising access and parking facilities adjoining the highway, save for the Preliminary Permitted Works, shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

16.

No phase of development comprising access and parking facilities adjoining the highway, save for the Preliminary Permitted Works, shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site is submitted to and approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

17.

Unless otherwise agreed by the Local Planning Authority, development or any phase thereof, other than the Permitted Preliminary Works or that required to be carried out as part of an approved scheme of remediation, for the development or that phase, as applicable must not commence until parts 1 to 4 below have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to this extent specified by the Local Planning Authority in writing until part 4 has been complied with in relation to that contamination.

Part 1 : Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

1. A survey of the extent, scale, and nature of contamination.
2. An assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments.
3. An appraisal of remedial options, and a proposal of the preferred option(s). This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance April 2021.

Part 2 : Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetables of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3 : Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority

Part 4 : Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan

18.

No development hereby permitted, or phase thereof, save for the Permitted Preliminary Works, shall commence until the Ground Investigation Watching Brief Written Scheme of Investigation (AECOM, October 2023) has been implemented, for the development or that phase, as applicable, and if required based on the

findings of the Ground Investigation Watching Brief, the submission and implementation of a detailed Written Scheme of Investigation for trial trenching prepared in conformity with the submitted Framework Trial Trenching Written Scheme of Investigation (AECOM, October 2023) has been submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

Reason

To preserve by record any archaeological remains within the development site in accordance with paragraph 211 of the NPPF, policy CS6 of the North Lincolnshire Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

19.

No development, save for the Preliminary Permitted Works, shall take place until the applicant, or their agents or successors in title, has submitted the following details to the Local Planning Authority for their written approval:

1. The results of geoarchaeological assessment to be undertaken in accordance with the Written Scheme of Investigation for an Archaeological Watching Brief during Geotechnical Investigation Works Phillips 66, AECOM, August 2023, or such other Written Scheme of Investigation has been agreed in writing with the Local Planning Authority
2. Archaeological assessment in accordance with the WSI for Archaeological Trial Trenching Investigation Works agreed in (1) and submission of the results.
3. A report summarising the assessment of the impact of the proposed development on any identified archaeological remains based on the final foundation design including details of shallow foundations, piling configuration, drainage and services and method statements relating to carrying out these works.
4. If identified as necessary as part of (3) an updated Written Scheme of Investigation (WSI) detailing archaeological mitigation proposals that provides the following:
 - i. Measures to ensure the preservation in situ, and/or the preservation by record, of archaeological and palaeo-environmental remains.
 - ii. Methodologies for the recording and recovery of archaeological and palaeo-environmental remains including artefacts and ecofacts.
 - iii. Post-fieldwork processes for assessment, updated project design and analyses.
 - iv. Report contents and arrangements for dissemination, and publication proposals.
 - v. Archive preparation and deposition with the recognised repositories including the digital archive with the ADS.
 - vi. A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the mitigation WSI.
 - vii. Arrangements to notify the North Lincolnshire Historic Environment Officer of the commencement of archaeological works at least 10 working days before commencement and a schedule of visits to monitor such works.
 - viii. A list of all staff involved in the implementation of the WSI including sub-contractors and specialists, their responsibilities, and qualifications.

Reason

To preserve in situ and/or by record any archaeological remains identified within the site in accordance with paragraph 211 of the NPPF, policy CS6 of the North Lincolnshire Core Strategy and policy HE9 of the North Lincolnshire Local Plan.

20.

The applicant shall notify the Local Planning Authority in writing of the intention to commence each stage 1-4 of the archaeological site works referred to in condition 19 above at least 10 days before commencement. Thereafter, the archaeological programmes shall be carried out in accordance with the approved details and timings, and the development shall not become operational until post-investigation assessment has been completed and any further analysis commissioned including provision for the publication and dissemination of results and archive deposition.

Reason

To preserve in situ and/or by record any archaeological remains identified within the site in accordance with paragraph 211 of the NPPF , policy CS6 of the North Lincolnshire Core Strategy, and policy HE9 of the North Lincolnshire Local Plan.

21.

A copy of any analysis, reporting, publication, or archiving required as part of the approved mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within 12 months of completion of the archaeological programme of work.

Reason

To preserve the record any archaeological remains within the development site in accordance with paragraph 211 of the NPPF, policy CS6 of the Core Strategy, and policy HE9 of the North Lincolnshire Local Plan.

22.

Noise (in terms of the BS4142:2014 rating level) from the operation of the authorised development must be no greater than 3dB higher than the defined representative background sound level during each of the daytime and the night time, adjacent to the nearest residential properties at locations agreed in writing with the Local Planning Authority.

Reason

For the protection of residential amenity in accordance with the Local Plan Policy DS1.

23.

Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority to the proposed piling methodology. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed piling does not harm groundwater resources in line with paragraph 176 of the National Planning Policy Framework. Piling using penetrative methods can result in risks to portable supplies from, for example. pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

24.

The development shall be carried out in accordance with the submitted flood risk assessment (Included as Appendix 9A of the Environmental Statement Volume 2, undertaken by AECOM, dated February 2023). In particular, flood resistance and resilience measures as detailed in paragraph 7.2.2. will be incorporated into the development.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS19 of the North Lincolnshire Core Strategy.

25.

Works and biodiversity enhancements shall be carried out strictly in accordance with sections 13.5.4 to 13.5.9 of the submitted Environmental Statement.

Reason

To conserve protected and priority species in accordance with saved policy LC5 of the North Lincolnshire Local Plan and policy CS of the North Lincolnshire Core Strategy.

26.

Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways (or its successors) decommissioning of the development hereby approved shall not commence unless and until a Decommissioning Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways (or its successors). Thereafter unless otherwise approved in writing decommissioning shall be undertaken in accordance with the approved plan.

Reason

In the interest of road safety and traffic management and to comply with saved Policies T2 and T18 of the North Lincolnshire Local Plan.

27.

Commercial operation of the post-combustion carbon capture plant shall not commence until one of the following has been submitted to the local planning authority:

- a) an Environmental Permit, draft Environmental Permit or confirmation in writing from the Environment Agency setting out a discharge limit for water-borne sulphates as agreed with the Environment Agency and Natural England; or
- b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will exceed its advised discharge limit for sulphates.

For the avoidance of doubt, "commercial operation" does not include, and would be subsequent to, the stage of initial commissioning of the post-combustion carbon

capture plant.

Reason

To protect features of the Humber Estuary SPA and Ramsar site in accordance with policies CS17, SHBE-1 and LC2.

Dated: 05/08/2024

Signed:



PP Rebecca Leggott
Development Management Lead

Informative 1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

Informative 2.

"Permitted Preliminary Works" PPW means works including or comprising the clearance of ecological features and exclusion of translocation of species using qualified consultants and any necessary licenses, the removal of existing hardstanding, the erection of temporary fencing for construction purposes, and the placing of temporary cabins and associated areas of hardcore construction purposes, geotechnical investigations, archaeological excavation, land contamination risk assessment and mitigation, site clearance works, underground surveys and positive identification of services, utilities and gas mains.

Informative 3.

The site investigation proposals include the investigation of chalk bedrock depth using deep boreholes. This presents the potential for a preferential pathway to be created for contamination to migrate to the Principal Chalk aquifer. Any drilling or piling work that may penetrate the underlying Chalk bedrock must be supported by an appropriate risk assessment with best practice guidance. Any investigation boreholes that penetrate the Chalk aquifer should be suitably decommissioned when no longer needed, in accordance with best practice guidance.

Informative 4.

Network Rail Note 1 - Due to the proximity of the proposed development to the operational railway boundary, the developer is requested to liaise with the Asset Protection Team for enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email assetprotectioneastern@networkrail.co.uk.

Informative 5.

Network Rail Note 2 - There must be no connection to existing railway drainage assets without prior agreement with Network Rail. Surface water must flow from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail.

Informative 6.

Network Rail Note 3 - The developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (approx. 1.8m high) and make provision for its renewal and maintenance.

Informative 7.

Network Rail Note 4 - An Amco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway.

Informative 8.

Network Rail Note 5 - Landscaping details imposed via condition should be submitted to the Local Planning Authority and approved following consultation with Network Rail.

Informative 9.

External lighting details imposed via condition shall be submitted to the Local Planning Authority and approved following consultation with Network Rail.

Informative 10.

The LLFA records indicate that the proposed development site is bounded by and has running through it, a water course (Surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance.

Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Teams, via email prior to any further construction works being carried out.

Informative 11.

The site lies within the IDB and LLFA area of jurisdiction and as such any alterations and/or connections into the watercourse must be consented by the Local Internal Drainage Board and the LLFA Drainage Team through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team via emails for further details. Compliance with the guidance is to ensure the free flow of surface water is maintained throughout the development.

WARNING

THIS DOCUMENT DOES NOT CONSTITUTE ANY APPROVAL

UNDER THE BUILDING REGULATIONS

WARNING

This is a **PLANNING PERMISSION ONLY**. It does NOT convey any approval or consent required under any enactment, byelaw, order or regulation other than those referred to in the heading of this notice. It is **IMPORTANT** that you should read the notes concerning **APPEALS** below.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If 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.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Please note however:

If your application was for **householder development** (dwelling house extensions, alterations, garages, swimming pools, walls, fences, vehicular access, porches, satellite dishes etc) or for a minor commercial application 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 he 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 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.
- 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) 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 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.