



Planning Services
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Peterborough
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Telephone: 01733 747474

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990

Reference: 09/00078/MMFUL

Decision Date: 6 May 2010

Proposal	Construction of an 'Energy from Waste' facility including access from Fourth Drove and exit onto Fengate
At	Grosvenor Resources Ltd Fourth Drove Fengate Peterborough
Applicant	Mr B Wilson
Date Received	30 January 2009

PERMISSION IS GRANTED for this application in accordance with the following plans, drawings and documents:

Title	Reference – Drawing No.	Version No.	Dated
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The proposal has been considered in the light of all material considerations and specifically the following policies and guidance:

Cambridgeshire and Peterborough Waste Local Plan 2003: policies WLP4, WLP5, WLP7, WLP9, WLP12, WLP15, WLP16, WLP18, WLP19, WLP27,

Peterborough Local Plan (First Replacement) 2005: policies OIW1, T1, T3, T5, T8, T9, DA1, DA2, DA3, DA11, DA12, DA13, DA14, DA18, CBE1, CBE2, LNE10, LNE14, U3, U13, U14,

and other material considerations, specifically the 'Location and Design of Major Waste Management Facilities SPD (April 2006)'

and national Planning Policy Statements and Guidance;

Waste Strategy for England 2007 (Waste Strategy)

Planning Policy Statement 1: Delivering Sustainable Development (PPS 1)

Planning and Climate Change Supplement to PPS1 December 2007 (PPS1 Supplement)

Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7)

Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9)

Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10)

Planning Policy Statement 13: Transport (PPS13)

Planning Policy Guidance 16: Archaeology and Planning (PPG16)

Planning Policy Statement 22: Renewable Energy (PPS22)

Planning Policy Statement 23: Planning and Pollution Control (PPS23)

It is considered that the proposal accords with policy to manage residual waste in accordance with the waste hierarchy and reduce the dependence on landfill, to take waste to the nearest appropriate facility for disposal/treatment and to co-locate facilities. The ability to store and process the waste within the building will bring environmental and amenity improvements to the city. There is also the opportunity to create and utilise renewable energy.

Permission is granted subject to the following conditions and reasons:

C 1 Commencement

The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In accordance with the provisions of Section 91 the Town and Country Planning Act 1990 (as amended)

C 2 Approved Details

The development hereby permitted shall be carried out in complete accordance with the following submitted documents and plans:

Statutory Plan no. 15898/A1/100 Rev.A dated 22.1.09
Existing Site Layout 15898/A1/101 dated 5.1.09
Proposed Site Layout no. 15898/A1/102 Rev B dated 8.6.09
Proposed Building Layout no. 15898/A0/110 rev A dated 20.1.09
Proposed Roof layout no. 15898/A1/111 dated 6.1.09
Proposed Office Layouts no. 15898/A1/115 dated 28.11.08
Proposed South West Building Elevation no. 15898/A1/120 rev A dated 23.12.08
Proposed North East Building Elevation no. 15898/A1/121 dated 13.1.09
Proposed North West Building Elevation no. 15898/A1/122 rev A dated 13.1.09
Proposed South East Building Elevation no. 15898/A1/123 rev A dated 13.1.09
Proposed Site Elevations 15898/A1/140 dated 15.12.08
Proposed Boundary Treatment Layout no. 15898/A3/150 dated 13.11.08
Air Cooled Condenser no. 15898/A3/160 rev A dated 08.01.09
Proposed Gatehouse Plans and Elevations no. 16030/A0/170 rev A dated 12.05.09
Proposed Cycle Shelter General Arrangement no. 15898/A1/175 dated 07.01.09
Proposed Feature Raised Bed General Arrangement no. 15898/A1/180 dated 06.01.09
Proposed Drainage Layout no. 5075275/DRA/GA/311 dated 21.1.09

letter from Atkins ref. 5075275_ Peterborough EfW Response to PCT_ Issue dated 1st June 2009

letters from Axis Planning dated 28th May 2009, 5th June 2009, 4th August 2009, 11th August 2009, 17th September 2009,

Reason: In accordance with the application and for the avoidance of doubt of the nature and extent of the development hereby permitted.

C 3 Facing Materials and Lighting

The external facing materials used shall be as set out in section 4.18 (Materials Schedule) of the Design and Access Statement. Any alternative materials proposed, and details of the additional lighting proposed on the frontage of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of

development. The development shall be constructed in accordance with the approved details.

Reason: In order to encourage attractive development that makes a positive contribution to the urban design of the District in accordance with policies DA1 and DA3 of the Peterborough Local Plan (First Replacement) 2005 and the Design and Location of Major Waste Management Facilities SPD (April 2006).

C 4 BREAMM Rating

A scoping submission shall be submitted to the Building Research establishment (BRE) to establish the most appropriate BREEAM standard for the proposed EfW plant and associated buildings. A BREEAM assessment shall then be undertaken based upon the BRE's recommendations.

The building shall be developed to the recommended BREEAM standards, or such standards that replace BREEAM in whole or in part at before the start of construction of the EfW.

The precise BREAMM rating to be achieved shall be agreed in writing with the Local Planning Authority following the submission of a predicative assessment at the outline design stage.

Reason: To ensure the energy efficiency of the development in accordance with policy U13 of the Peterborough Local Plan (First Replacement) 2005

C 5 Maximum Throughput

The annual throughput of the Energy from Waste Plant shall not exceed 65,000 tonnes at a Calorific Value of 9,400 kJ/kg or equivalent.

Reason: To accord with the details of the application and policy WLP3 of the Cambridgeshire and Peterborough Waste Local Plan 2003.

C 6 Hours of Operation

During Construction

Construction works including the delivery of materials and removal of waste materials from the site shall only take place between:

07.00 - 19.00 hours Monday to Saturday

During normal operation

Deliveries to the site shall only take place between:

06.00 - 22.00 hours Monday to Saturday

08.00 - 16.00 hours Sunday, Bank Holidays and Public Holidays

unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of local amenity in accordance with policies DA2 AND DA13 of the Peterborough Local Plan (First Replacement) 2005 and policy WLP9 of the Cambridgeshire and Peterborough Waste Local Plan 2003.

C 7 Landscape Details and Management

The hard and soft landscaping works at the frontage of the site shall be implemented in accordance with approved drawing no. 15898/A1/180 unless otherwise agreed in writing by the Local Planning Authority.

A landscape management plan, including long term design objectives for 5 years following implementation, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development for its permitted use. The landscape management plan shall be implemented in accordance with the approved details.

Any shrubs dying, being severely damaged or becoming seriously diseased within 5 years shall be replaced with trees and shrubs of such size and species as may be agreed with the Local Planning Authority in the planting season immediately following any such occurrences.

Reason: In order to improve the visual amenity of the area in accordance with policies DA1, DA2, LNE9 and LNE10 of the Peterborough Local Plan (First Replacement) 2005 and policies WLP7 and WLP9 of the Cambridgeshire and Peterborough Waste Local Plan 2003.

C 8 Design of fencing

All new and replacement fencing shall be designed to allow free flow of floodwater to ensure that the floodplain can be utilised during a flood event unless it can be demonstrated that adequate flood plain mitigation is in place.

Reason: To ensure that adequate measures are taken to mitigate the impact of flooding in the vicinity of the development in accordance with policies U3 and U5 of the Peterborough Local Plan (First Replacement) 2005.

C 9 Retention of Swale

The proposed flood swale shall be retained in perpetuity or unless or until other measures are put in place for floodplain compensation.

Reason: To ensure that adequate measures are taken to mitigate the impact of flooding in the vicinity of the development in accordance with policies U3 and U5 of the Peterborough Local Plan (First Replacement) 2005.

C10 The development hereby permitted shall only be carried out in accordance with the supplementary flood risk information undertaken by Anna Butler (for and on behalf of Atkins Limited) and dated 5th November 2009. In particular all electrical equipment shall be mounted no lower than 2.7 metres above Ordnance datum and provided with water resilient housing. The applicant shall confirm completion of the approved scheme, in writing, to the Local Planning authority within one month thereafter.

Reason: To reduce the impact of flooding on the development in accordance with policy U3 of the Peterborough Local Plan (First Replacement) 2005.

C11 Contaminated Land

If, during development, contamination not previously identified in the risk assessment set out in chapter 11 of the Environmental Statement, is found to be present at the site then no further development, unless otherwise agreed in writing with the Local Planning Authority, shall be carried out until the developer has submitted to and obtained approval

in writing by the Local Planning Authority, an addendum to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: In order to protect and safeguard the amenity and health of local residents or occupiers of nearby industrial units in accordance with Planning Policy Statement 23 and policies DA14 and DA15 of the Peterborough Local Plan (First Replacement) 2005.

C12 Noise Management Plan

"A noise management plan shall be submitted to include steps to be taken to ensure that plant and machinery minimise the noise created, including plant modification, enclosures, screening, location and maintenance and the monitoring of noise from the facility.

Any assessment of noise levels shall given consideration to low frequencies which, unless suppressed to a low energy level, can cause resonant excitation of windows and lightweight building panels at considerable distances.

The noise management plan shall ensure that with plant operating, noise levels emitted from the site shall not exceed 51dB LAeq, 15 minutes as determined at the nearest noise sensitive receptor (Vitas Business Park). The requirement is to be waived for start up periods.

In the event of a reasonable complaint, as perceived by the local authority officer, monitoring in accordance with an agreed scheme shall be carried out by the operator and the results shall be submitted to the Local Planning Authority. The noise levels shall be determined at the nearest noise sensitive receptor. The measurements shall be made in accordance with BS4142:1997."

Reason: To protect the amenity of local area in accordance with policies DA2 and DA13 of the Peterborough Local Plan (First Replacement) 2005 and policy WLP9 of the Cambridgeshire and Peterborough Waste Local Plan 2003.

C13 Reversing Alarms

Prior to the commencement of the development details of the reversing alarms to be fitted to all mobile plant shall be submitted to and approved in writing by the Local Planning Authority. The approved reversing alarms shall be utilised on mobile plant for the duration of the development unless the use of other alarms is agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenity of the local area in accordance with policy WLP9 of the Cambridgeshire and Peterborough Waste Local Plan 2003 and policy DA13 of the Peterborough Local Plan (First Replacement) 2005.

C14 Lighting

Prior to the commencement of development a scheme for the provision of lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall identify:

1. That lighting that is needed to provide low level night time background lighting
2. That lighting that is needed to provide lighting to enable safe operations on the site
3. The hours in which the lighting in 1 and 2 will be operational
4. A specification for the light levels on site including off site and upward spill

Reason: To prevent glare and minimise light pollution to the surrounding area in order to protect amenity and highway safety in accordance with policies DA2, DA12 and T1 of the Peterborough Local Plan (First Replacement) 2005 and WLP9 of the Cambridgeshire and Peterborough Waste Local Plan 2003.

C15 Programme of Archaeological Work

No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, in accordance with a written scheme of mitigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that archaeological remains are not disturbed or damaged by foundations and other groundwork but are, where appropriate, preserved in situ, in accordance with Planning Policy Guidance 16 and policies CBE1 and CBE2 of the Peterborough Local Plan (First Replacement) 2005 and policy WLP12 of the Cambridgeshire and Peterborough Waste Local Plan 2003.

C16 Waste Catchment Area Restriction

At least 75% by weight of the consented capacity of the Energy from Waste Facility shall be sourced from the following area:

1. the administrative area of Peterborough City Council
2. the administrative area of Cambridgeshire County Council, and
3. a radius of up to 50km from the site.

Weighbridge records shall be submitted to the Local Planning Authority annually, on a date to be agreed with the operator, and shall set out the originating location and type of waste imported to the facility or shall be made available to the Local Planning Authority within one week of such request.

Reason: To limit the area from which waste can be imported to seek to ensure that waste is treated at the nearest appropriate facility and that transportation is limited as far as practicable in accordance with policy WM3 of the East of England Plan 2008 and policy WLP3 of the Cambridgeshire and Peterborough Waste Local Plan 2003.

C17 Travel Plan

Prior to the commencement of operations a detailed travel plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: In accordance with policies T1 and T7 of the Peterborough Local Plan (First Replacement) 2003.

C18 Provision and retention of cycle parking

No building shall be occupied until space has been laid out within the site in accordance with the approved plan for 16 bicycles to be parked, and that area shall not thereafter be used for any purpose other than the parking of cycles.

Reason: In order to protect and safeguard the amenity of the local residents or occupiers, in accordance with Policy T9 of the Peterborough Local Plan (First Replacement) 2005.

C19 The building shall not be occupied until a means of access for pedestrians and/or cyclists has been constructed in accordance with plans to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policies T3 and T5 of the Peterborough Local Plan (First Replacement) 2005.

C20 Construction of Footway

Development shall not commence before full details of a 2m. wide footway along the eastern side of Fengate from Dodson Way to Fourth Drove, including pedestrian crossing points, have been submitted to and approved in writing by the Local Planning Authority. The footway shall be constructed in accordance with the approved plans prior to occupation of the site.

Reason: In the interests of highway safety in accordance with policies T1, T2, T3, T7 and T8 of the Peterborough Local Plan (First Replacement) 2005.

C21 Access Points

Development shall not commence before full details of the 'access only' from Fourth Drove and 'egress only' from Fengate have been submitted to and approved in writing by the Local Planning authority. Part closure of the existing access off Fourth Drove shall be included within the design. The accesses shall be fully implemented prior to occupation of the site in accordance with the approved plans.

Reason: In the interests of highway safety and to ensure that the new highway access points are adequately constructed, drained and lighted in accordance with policies T1, T2, T5, T7 and T8 of the Peterborough Local Plan (First Replacement) 2005.

C22 Swept Path Analysis

Development shall not commence before swept path analysis of all routes in to, around including loading areas and out of the site by the largest anticipated vehicle is submitted to and approved in writing by the Local Planning Authority. The resultant access road widths shall be fully implemented in accordance with the approved plans prior to occupation of the site.

Reason: In the interests of Highway safety, in accordance with Policy T1 of the Adopted Peterborough Local Plan (First Replacement) 2005.

C23 Construction Management Plan

Prior to the commencement of development a construction management plan, including risk assessments, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

The scheme shall:

- 1.detail measures to be undertaken to minimise noise and dust arising from building construction and site works and normal plant operation and monitoring thereof. Such scheme shall accord with the requirements of Minerals Planning Statement 2 Annex 1 or such requirements that replace them in whole or part when the development is implemented. A summary of Best Practice Site Management Measures for the control of dust shall be provided as part of the submitted scheme;
- 2.specify whether a named environmental co-ordinator is to be employed or in the absence of such a person the competent person who will deal with issues raised by authorities and the public.
- 3.specify measures to be taken to foster good community relations set out in a documented procedure,
- 4.specify duration of construction operations and hours of operation,
5. a scheme of chassis and wheel cleaning for construction vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways;

6.a scheme to demonstrate that all construction vehicles can enter the site immediately upon arrival, there is adequate space within the site to enable contractors vehicles to park, turn and load and unload clear of the public highway and details of the haul routes across the site; and

7. provide a Site Waste Management Audit for the demolition and construction phases of the development setting out how waste arising from the construction phases of the proposed plant is to be managed

The development shall thereafter be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Local Planning Authority

Reason: In the interest of highway safety and to ensure that adequate measures are taken to minimise the impact of construction operations on the amenity of local residents and workers in accordance with policy WLP9 of the Cambridgeshire and Peterborough Waste Local Plan 2003 and policy DA2 of the Peterborough Local Plan (First Replacement) 2005.

C24 Bunding of Tanks

Any facilities, above ground, for the storage of oils, fuels or chemicals should be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system should be sealed with no discharge to any watercourse, land or underground strata. Any associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

Reason: To prevent pollution of ground and surface water resources in accordance with policy WLP15 of the Cambridgeshire and Peterborough Waste Local Plan 2005.

C25 Surface Water Drainage etc

Prior to the commencement of development details of the proposed surface water drainage system shall be submitted to the Local Planning Authority for approval in writing and shall be implemented in accordance with the approved scheme.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies, with an overall capacity compatible with the site being drained unless otherwise agreed in writing with the Local Planning Authority.

The applicant shall ensure that any existing oil interceptors at the site have sufficient capacity to operate effectively when taking into account any additional discharge of surface water from the proposed development. No contaminated runoff shall be discharged to the surface water drainage system.

Reason: To prevent pollution of surface waters in accordance with policy WLP15 of the Cambridgeshire and Peterborough Waste Local Plan 2003 and policy U3 of the Peterborough Local Plan (First Replacement) 2005.

C26 Heat Distribution Strategy

Prior to the EfW Plant becoming operational a study detailing the feasibility and commercial viability of exporting heat from the EfW plant for use by domestic, commercial and/or industrial users (together with the demand for such heat) and a timetable/strategy for expanding this network to distribute residual heat shall be submitted to and approved in writing by the Local Planning Authority. If at the time the EfW Plant becomes

operational the study concludes that exporting heat from the EfW Plant is not feasible or commercially viable then a timetable for the review of the study shall be agreed in writing with the Local Planning Authority.

Reason: To ensure the energy efficiency of the development in accordance with policy U13 of the Peterborough Local Plan (First Replacement) 2005.

C27 Weighbridge Operation

Details of the means of operation of the unmanned weighbridge shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The unmanned weighbridge shall not be operated except in accordance with the approved details.

Reason: In the interest of highway safety in accordance with policy T1 of the Peterborough Local Plan (First Replacement) 2005.

C28 Prior to the commencement of operations at the site a Local Liaison Panel shall be established in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The Panel shall meet regularly for the duration of the lifetime of the facility in accordance with the submitted terms of reference unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that there is a channel for interested parties to consider matters of mutual concern in accordance with policy WLP9 of the Cambridgeshire and Peterborough Waste Local Plan 2003.

C29 Monitoring of the hydrology re Flag Fen

A borehole shall be constructed and hydrological monitoring shall commence at least 6 months prior to the commencement of construction or other works associated with the development and shall continue for a minimum period of five years.

Reason: To assess the effect of construction of the development and in particular those elements below existing ground level do not have an adverse effect on local hydrological conditions in order to prevent damage to the archaeological remains at Flag Fen as a result of changes to the hydrological environment resulting from the implementation of this development in accordance with policy CBE1 of the Peterborough Local Plan (First Replacement) 2005.

C30 Decommissioning

Prior to the decommissioning of the facility hereby permitted a scheme, including a timetable, for the demolition of the buildings and plant, and decontamination of the land, shall be submitted to and approved in writing by the Local Planning authority. The scheme shall be implemented in accordance with the approved details.

reason: To ensure that the land is capable of beneficial use as advised by Circular 2/90.

The notes on the following sheet should be read in conjunction with this decision notice.

Theresa M. Chan
PP Head of Planning Services

Notes Relating to this Decision

- 1 Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the applicant will need to ask for the assets to be diverted under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- 2 An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.
Anglian Water also recommends that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.
Anglian Water also recommends the installation of a properly maintained fat traps at all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industries Act 1991.
- 3 Surface water discharge will be into Racecourses Drain adjacent to the site. Any works to the Racecourses Drain, including culverting/piping will require the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991. Due to the recently completed scheme within the catchment, preference would be for a clear span bridge to facilitate maintenance and to retain capacity and flow area. Access must be considered for maintenance of the channel i.e. for the maintaining authority and the riparian landowner.
- 4 The operators are requested to notify the management of Flag Fen Bronze Age Centre of any potentially excessive noise during construction and operation of the facility at least 3 months in advance, or as soon as practicable, in order to ensure that this does not adversely impact on events to be organised at Flag Fen.
- 5 The development is likely to involve works within the public highway in order to provide services to the site. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Applications for NR & SWA licences should be made to Transport & Engineering – Street Works Co-Ordinator on 01733 453467.
- 6 The development involves extensive works within the public highway. Such works must be the subject of an agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works, adequate time is allowed in the development programme for; approval by the council of the designer, main contractor and sub-contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Application forms for S278 agreements are available from Transport & Engineering - Development Team on 01733 453421.
- 7 Highways Act 1980 - Section 184, Sub-Sections (3)(4)(9)
This development involves the construction of a new or alteration of an existing vehicular crossing within a public highway.
These works MUST be carried out in accordance with details specified by Peterborough City Council.

Prior to commencing any works within the public highway, a Road Opening Permit must be obtained from the Council on payment of the appropriate fee.

Contact is to be made with the Transport & Engineering - Development Team on 01733 453421 who will supply the relevant application form, provide a preliminary indication of the fee payable and specify the construction details and drawing(s) required.

- 8 This planning permission should be read in conjunction with the Section 106 legal agreement that has been signed and sealed.**

General Notes

- 1 Planning permission does not constitute approval under the Building Regulations or Bye-law approval relating to new streets and buildings.
- 2 It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.

Legal Notes

Notes Relating to Appeals to the Secretary of State

- 1 The applicant has a **right to appeal** to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990. The appeal must be made on a form which may be obtained from: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN (Tel 0117 372 6372) or web site www.planning-inspectorate.gov.uk.
- 2 If you want to appeal, then you must do so within six months of the date of this notice.
- 3 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.
- 4 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 Relating to Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she 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 to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note Relating to UK Ceed

Peterborough's UK Centre for Economic & Environmental Development (UK CEED) is researching aspects of the disposal, segregation & recycling of waste from construction and demolition activities. This is taking place at the Ecotrade Centre, Welland Road, Dogsthorpe, which is testing new approaches to material reuse and recycling. You can participate in the research at this facility by bringing waste material, and at the same time benefit from cost savings, and ensuring compliance with legislation. For more information contact Cristina Royo , UK CEED, 48 Broadway, Peterborough PE1 1SB; telephone 01733 311644 or e-mail c.royo@ukceed.org.

Note Relating to Starting Work too soon

If you start work on this development before complying with conditions that require to be met before work starts, your action has made this planning permission invalid. A fresh planning application will then be required, with the associated cost and delay.

