| For  | official | use | only |
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| Date | receive  | ٠d٠ |      |

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# The Environmental Permitting (England and Wales) Regulations 2010

### ENVIRONMENTAL PERMITTING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language please contact our helpline on 029 2082 3866.

**WARNING:** 

Your appeal must reach The Planning Inspectorate within the statutory time limits for making an appeal as set-out in Schedule 6 of the above mentioned regulations.

#### PLEASE PRINT CLEARLY IN CAPITAL USING BLACK INK

| A. APPELLANT  |
|---|
| Name Name   |
| Organisation Name (if applicable)                               |
| B. AGENT (if any) FOR THE APPEAL                                |
| Name Name   |
| Organisation Name (if applicable)                               |
| Your Reference  |
| C. REGULATOR DETAILS – NATURAL RESOURCES WALES/ LOCAL AUTHORITY |
| Name Name   |
| Contact reference number  |
| Date of Application D D M M Y Y                                 |
| Date Decision D D M M Y Y                                       |

| D. A   | PPEAL SITE ADDRESS   |              |  |  |  |  |  |  |  |  |  |  |
|--|--|--------------|--|--|--|--|--|--|--|--|--|--|
| Add  | ress Postcode Postcode   |              |  |  |  |  |  |  |  |  |  |  |
| 1  | Could the Inspector see the relevant parts of the appeal Yes No site sufficiently to judge the proposal from public land?  |              |  |  |  |  |  |  |  |  |  |  |
| 2  | If <b>Yes</b> to Q1, are there any health and safety issues which Yes No would need to be taken into account if s/he were to conduct an unaccompanied site visit? If so, please describe them below.   |              |  |  |  |  |  |  |  |  |  |  |
|  |  |              |  |  |  |  |  |  |  |  |  |  |
| 3  | 3. If <b>No</b> to Q1, an accompanied site visit will be arranged and we will let you and the regulator know when the Inspector will visit the site.   |              |  |  |  |  |  |  |  |  |  |  |
| E. R   | EASONS FOR THE APPEAL  |              |  |  |  |  |  |  |  |  |  |  |
|  |  |              |  |  |  |  |  |  |  |  |  |  |
| This   | appeal is against: Please tick <u>ONE</u> box on   | ly ✓         |  |  |  |  |  |  |  |  |  |  |
|  | appeal is against:  Please tick <u>ONE</u> box one efusal to grant an environmental permit.  | ly ✓<br>1 🗌  |  |  |  |  |  |  |  |  |  |  |
| 1. R   |  | ly ✓ 1 □ 2 □ |  |  |  |  |  |  |  |  |  |  |
| <ol> <li>1. R</li> <li>2. R</li> <li>3. C</li> </ol> | efusal to grant an environmental permit.   | 1 📗          |  |  |  |  |  |  |  |  |  |  |
| 1. R<br>2. R<br>3. C                                 | efusal to grant an environmental permit.  efusal to grant a variation of the conditions of an existing environmental permit.  onditions attached to an environmental permit following an application for a permit or   | 1            |  |  |  |  |  |  |  |  |  |  |
| 1. R 2. R 3. C 4. C 5. C                             | efusal to grant an environmental permit.  efusal to grant a variation of the conditions of an existing environmental permit.  onditions attached to an environmental permit following an application for a permit or ariation.   | 1            |  |  |  |  |  |  |  |  |  |  |
| 1. R 2. R 3. C 4. C 5. C 6. A                        | efusal to grant an environmental permit.  efusal to grant a variation of the conditions of an existing environmental permit.  onditions attached to an environmental permit following an application for a permit or ariation.  onditions imposed on an environmental permit as a result of a regulator-initiated variation.  onditions imposed to take account of the partial transfer, partial revocation or partial   | 1            |  |  |  |  |  |  |  |  |  |  |
| 1. R 2. R 3. C v 4. C 5. C si 6. A C                 | efusal to grant an environmental permit.  efusal to grant a variation of the conditions of an existing environmental permit.  onditions attached to an environmental permit following an application for a permit or ariation.  onditions imposed on an environmental permit as a result of a regulator-initiated variation.  onditions imposed to take account of the partial transfer, partial revocation or partial arrender of the environmental permit.   | 1            |  |  |  |  |  |  |  |  |  |  |
| 1. R 2. R 3. C 4. C 5. C 5. C 7. 'E                  | efusal to grant an environmental permit.  efusal to grant a variation of the conditions of an existing environmental permit.  conditions attached to an environmental permit following an application for a permit or ariation.  conditions imposed on an environmental permit as a result of a regulator-initiated variation.  conditions imposed to take account of the partial transfer, partial revocation or partial arrender of the environmental permit.  In Enforcement Notice, a Revocation Notice, Suspension Notice, Prohibition Notice, Landfill losure or Mining Waste Facility Closure Notice. | 1            |  |  |  |  |  |  |  |  |  |  |

| F. GROUNDS OF APPEAL  |
|---|
| Please enter your grounds of appeal below or tick the box if you prefer to send |
| them as a separate document   |
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| G.   | CH   | OI           | CE                     | OF           | PR          | OC           | ED          | UR            | E            |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|--|--|--------------|------------------------|--------------|-------------|--------------|-------------|---------------|--------------|-------------|-----------|------------|-----|-------------|------------|------------|-------------|----------|---------------|------------|------------|------|--------------|--------------|----------------|-----|-----|
|  | ase<br>tura  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               | _          | wil        | l pr | осе          | ed.          | utho<br>ox onl |     | · / |
| 1.   | Wri  | tte          | n R                    | epr          | ese         | enta         | atic        | ns            |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                | w [ |     |
|  | This procedure involves an exchange of the parties' written statements, followed by a visit to the appeal site by the Inspector who is responsible for determining the appeal.       |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  | You and a representative for the Natural Resources Wales / Local Authority will be given an opportunity to accompany the Inspector during the site visit.                            |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
| 2. Hearing   |  |              |                        |              |             |              |             |               |              |             |           |            | н   |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
| A hearing is a discussion, held under the direction of the Inspector. It lets parties exchange their views in a less formal atmosphere than at a public inquiry. Hearings are open to the public and third parties may be heard at the discretion of the Inspector. Hearings are generally conducted in the spirit of the Town and Country Planning (Hearings Procedure) (Wales) Rules 2003, SI 2003 No. 1271. Hearings are not usually suitable for appeals that: |  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  |  |              |                        |              | •           |              | d or<br>xam |               |              |             |           |            |     | e cre       | eate       | d a        | lot         | of Ic    | cal           | inte       | rest       | ; or |              |              |                |     |     |
|  | Plea<br>whe<br>writ  | the          | yo                     | ur a         | ppe         | al w         | oul         | _             |              | •           |           |            |     | •           |            |            |             |          |               |            |            |      |              |              |                |     |     |
| 3.   | Inq  | uir          | y                      |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                | 1 [ |     |
| This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence; inquiries are open to the public and third parties may be heard at the discretion of the Inspector. In general, an inquiry is the best way to deal with a case that:   |  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  | <ul> <li>involves complex legal issues;</li> <li>have caused a lot of local interest; or</li> <li>involve the need to question evidence through formal cross-examination.</li> </ul> |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  | An i<br>writ<br>Som<br>an i  | ten<br>netir | re <sub>l</sub><br>nes | ores<br>, ev | ent<br>en i | atio<br>f bo | ns<br>ith p | prod<br>parti | cedu<br>es h | ire<br>nave | and<br>op | d w<br>ted | e o | deci<br>the | de<br>writ | tha<br>ten | it a<br>rep | n herese | earii<br>enta | ng<br>tion | is<br>s pr | uns  | uita<br>dure | ble.<br>e or |                |     |     |
|  | If y   | ou '         | war                    | nt u         | s to        | ho           | ld a        | ın ir         | nqu          | iry,        | ple       | ase        | se  | t ou        | ıt yo      | our        | rea         | sor      | ıs b          | elo        | <b>N</b> : |      |              |              |                |     |     |
|  |  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  |  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  |  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  |  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  |  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |
|  |  |              |                        |              |             |              |             |               |              |             |           |            |     |             |            |            |             |          |               |            |            |      |              |              |                |     |     |

| H. ESSENTIAL SUPPORTING DOCUMENTS  |     |
|--|-----|
| The documents listed in 1 – 5 below <u>MUST</u> be sent with your appeal form. If veceive all your appeal documents within the statutory appeal period, we mate able to accept it. |     |
| Please tick the boxes to show the documents you are enclosing:   | ✓   |
| 1. A copy of the relevant <b>application</b> .   | 1 🗌 |

| 1.   | A copy of the relevant <b>application</b> .  |  |  |  |  |      |  |  |  |  |  |  |     |       | 1    |       |  |      |      |      |      |     |    |   |  |
|--|--|--|--|--|--|------|--|--|--|--|--|--|-----|-------|------|-------|--|------|------|------|------|-----|----|---|--|
|  | A copy of any relevant environmental permit.   |  |  |  |  |      |  |  |  |  |  |  |     | 2     |      |       |  |      |      |      |      |     |    |   |  |
|  | A copy of the <b>decision</b> or <b>notice</b> (the subject of the appeal).  |  |  |  |  |      |  |  |  |  |  |  |     |       | 3    |       |  |      |      |      |      |     |    |   |  |
| 4.   |  |  |  |  |  |      |  |  |  |  |  |  |     | 4     |      |       |  |      |      |      |      |     |    |   |  |
| 5.   | 5. A list (stating drawing numbers) and copies of all <b>plans</b> , <b>drawings and documents</b> sent to the regulator as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the regulator. |  |  |  |  |      |  |  |  |  |  |  |     |       |      |       |  |      |      |      |      |     |    |   |  |
| Copies of the following must also be sent, if appropriate: |  |  |  |  |  |      |  |  |  |  |  |  |     |       |      |       |  |      |      |      |      |     |    |   |  |
|  |  |  |  |  |  |      |  |  |  |  |  |  |     |       |      |       |  |      |      |      |      |     |    |   |  |
|  | Add  |  |  |  |  | awii |  |  |  |  |  |  | ing | to th | ne a | pplic |  | ot p | revi | ousl | y se | een | by | 6 |  |
|  | Add  |  |  |  |  | awii |  |  |  |  |  |  | ing | to th | ne a | pplic |  | ot p | revi | ousl | y se | een | by | 6 |  |
|  | Add  |  |  |  |  | awii |  |  |  |  |  |  | ing | to th | ne a | pplic |  | ot p | revi | ousl | y se | een | by | 6 |  |
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#### **Personal Details**

Personal Details on this page will not be publicly available

| 1. APPELLANT PERSONAL DETAILS               |
|---|
| Address                                     |
| Postcode                                    |
| Daytime Tel Fax                             |
| E-mail                                      |
| I prefer to be contacted by E-mail Post     |
|   |
| 2. AGENT PERSONAL DETAILS (if any)          |
| 2. AGENT PERSONAL DETAILS (if any)  Address |
|   |
| Address                                     |
| Address Postcode                            |

H

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection Policy can be found on our website under "Privacy Statement".

Please turn over

| PLEASE SIGN BELOW  |
|--|
| <ul> <li>✓</li> <li>1. I confirm that sections A to H have been fully completed and are correct</li> </ul>   |
| 2. I confirm that I have attached the following documents:  a) Relevant application b) Relevant environmental permit c) Regulator decision or notice d) Grounds of appeal* *if not given in section G of this form     |
| <ul> <li>3. I have completed the Personal details page at the end of this form</li> <li>4. have sent a copy of this form (inc. necessary supporting documents and grounds of appeal) to the regulator today</li> </ul> |
| Signature:   |
| Name (in capitals)  Date D D M M Y Y   |
| On behalf of (if applicable)   |

| SEND                          |                                     |                        |
|-------------------------------|-------------------------------------|------------------------|
| 1 COPY to us at:              | 1 COPY to the Regulator             | 1 COPY for you to keep |
|                               |                                     |                        |
| The Planning Inspectorate     | Send a copy of the appeal form to   |                        |
| Crown Buildings               | the address from which the decision |                        |
| Cathays Park                  | notice was sent (or to the address  |                        |
| CARDIFF                       | shown on any letters received from  |                        |
| CF10 3NQ                      | the Regulator). There is no need to |                        |
|                               | send them all the supporting        |                        |
| E-mail: wales@pins.gsi.gov.uk | documents again, send them any      |                        |
|                               | supporting documents not            |                        |
|                               | previously sent as part of the      |                        |
|                               | application.                        |                        |
|                               |                                     |                        |

## WHEN WE RECEIVE YOUR APPEAL

When we receive your appeal form, we will:

- 1. Tell you if it is valid and who is dealing with it.
- 2. If everything is in order, we will give you an appeal **start date** and **timetable**.
- 3. Inform the regulator of the start date of the appeal (if applicable).

If you submit information or representations late we may be unable to consider them, the Inspector may not see them and that may be returned to you.

At the end of the appeal process, you will receive the Inspector's decision in writing, which will include details of the Inspector's reasoning.