

Borough Council of Calderdale

Environmental Permitting (England and Wales) Regulations 2010 (as amended)

Schedule 13A Environmental Permit

Permit reference S13A/001

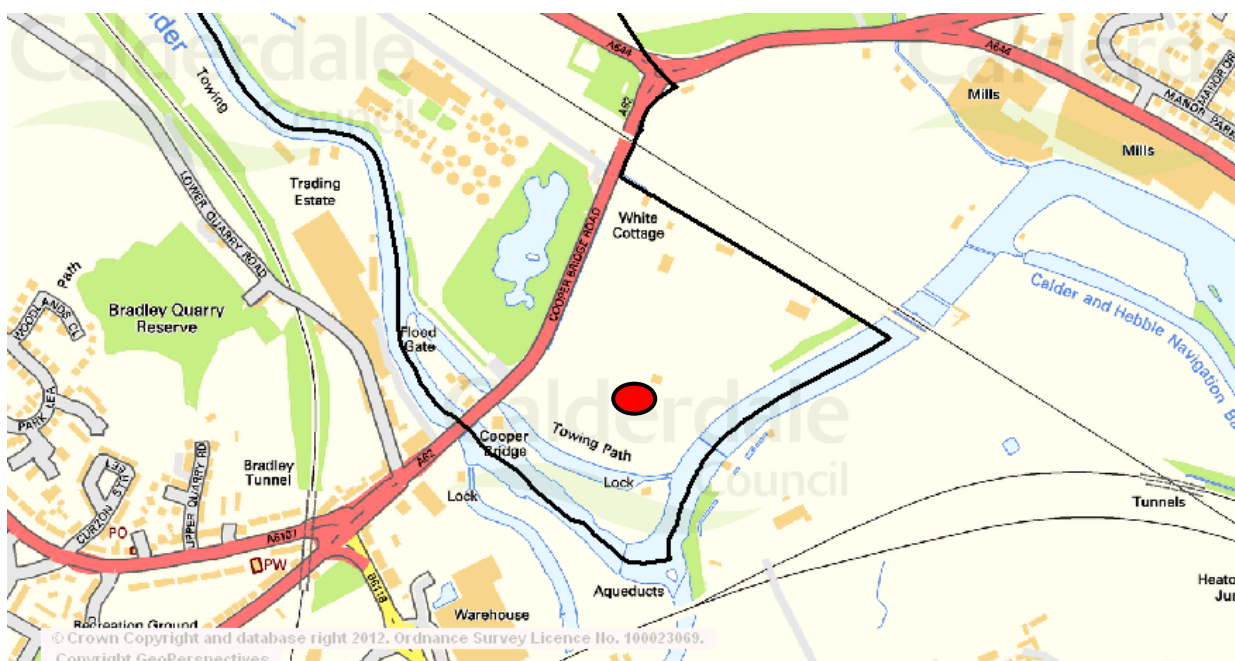
Operator: Yorkshire Water Services Ltd
Western House
Western way
Halifax Road
Bradford
BD6 2SZ

Company Number: 02366682

Regulated facility: Lower Brighouse ATC Plant
Cooper Bridge Road
Mirfield
WF14 0BS

Permitted Activity: Small waste combustion activity as defined in the Regulations as amended by the Environmental Permitting (England and Wales) (Amendment) Regulations 2013.

Location map The location of the plant is shown in red below.



Contents

Definitions

Schedules applied in this permit

Public register

The installation

Articles applied in this permit

Permit conditions

Section 1a Permitted waste types

Section 1b Delivery and reception of waste

Section 2 Emissions to water

Section 3a Normal operating conditions

Section 3b Permissible periods of abnormal operation

Section 4 Emission limits to air

Section 5 Monitoring of emissions to air

Section 6 Residues

Section 7 Action in case of breakdown, accidents, incidents and breaches of permit conditions

Section 8 Records

Appendix A Permit determination timetable

Appendix B Provenance of Permit Conditions

Drawings and plans

Boundary of installation: S13/001/P1
Water sampling point 2912 34 01 (supplied by applicant)

Explanatory notes

Appeals against permit conditions

Definitions

Unless otherwise specified, the definitions set out in the relevant Articles of Directive 2010/75/EU on industrial emissions (the Industrial Emissions Directive) (and in particular Article 3) shall apply throughout this permit.

In addition

“The Council” means Calderdale Metropolitan Borough Council, the Borough Council of Calderdale.

“the Regulations” means the Environmental Permitting (England and Wales) Regulations 2010 (as amended).

“The plant” and “the small waste incineration plant”, “the installation” and similar terms mean the small waste incineration plant for the generation of electricity by the combustion of gas from the pyrolysis and gasification of waste including the gas engines and thermal oxidiser at the installation named above and the associated storage and pre-treatment of waste.

“Site”, “on site” and similar terms shall be taken to refer to the site of the plant including all waste reception and storage areas, and the locations of processing activities. The boundary of the site is shown in Plan 1.

“The application” means the application for an environmental permit “Application for a permit to operate Schedule 13 co-incineration plant” made by the operator, duly made on 10th July 2013, together with supplementary information supplied in connection with that application. The application and supplementary information is held on the public register.

Other terms may be defined in the relevant section of the permit.

Schedules applied in this permit

This permit applies the following schedules to the Regulations:

Schedule 9 – waste operations.

For the purpose of Schedule 9(3)(1) planning permission 13/00453/FUL is in force
Schedule 13A – small waste incineration plant

Public register

The application, the permit and documents concerned with the determination of the application and subsequent reports and correspondence are held on the public register, a copy of which is available to view free of charge during office hours.

Parts of the application are referred to in the conditions of this permit and form part of the permit to the extent that they specify equipment and procedures that are to be complied with by virtue of the relevant permit conditions.

The installation

Waste of the types described in Table 1 is received on site and treated by drying to produce pellets. This material is heated together with wood pellets to cause pyrolysis and gasification to produce a gas of high calorific value referred to as 'syngas'.

The gas is treated to bring it into a condition suitable for introduction into

- two gas engines, referred to as G1 and G2 in this permit, for electricity generation
- a thermal oxidiser.

The thermal oxidiser acts as a bypass and balancing system for the gas engines, taking the syngas and combusting it. 'Off-specification' and excess syngas passes through the thermal oxidiser.

Waste gases from the thermal oxidiser pass to air by the stack S1. The working temperature of the gas engines is around 1000°C.

Waste combustion gases from the gas engines pass through a catalytic oxidiser before exhausting through the stack S1.

A fuller description of the small waste incineration plant is set out in Appendix D of the application, and in the additional information set out in the response to information notice S13A/001/I01/13. These documents are held on the public register.

Record of changes to this permit		
Date	Change	Notes
	Gas engine G2 added	Notified by operator of intention to use 200kW Shendong engine

Articles applied in this permit

The Council has applied the following articles of the Directive 2008/98/EC (Waste Framework Directive)

Article 4; waste hierarchy

Article 13; protection of human health and the environment

Article 23(1); issue of permits

Article 18(b) and (c); ban on mixing hazardous waste

Article 23(4); recovery of energy

Article 35(1); record keeping

Permit conditions are cross referenced against the relevant Articles of the Directive 2010/75/EU (Industrial Emissions Directive)

Article 7; action in event of accidents or incidents	Section 7
Article 8(2); action in the event of a breach of permit conditions	Section 7
Article 45(1), (2) and (4); permitted waste types	Section 1A
Article 46; control of emissions	Section 3
Article 47; action in case of breakdown	Section 7
Article 48(1) to (4); monitoring and recording requirements	Section 5
Article 49; determining compliance with emission limit values	Section 5
Article 50; operating conditions	Section 3
Article 52; delivery and reception of waste	Section 1B
Article 53; minimisation, storage and transport of residues	Section 6

Start of permit conditions

Section 1a Permitted waste types

Condition 1.1 The operator shall use no other waste types in the small waste incineration plant than those set out in Table 1.

Table 1: Permitted non-hazardous waste types (refer to Condition 1.1)

Waste code	description	detail	Permitted annual usage (tpa)
19 12 07	Pelletised wood waste		8000
19 08 01	Sewage screenings	Waste from waste water treatment plants	2000
19 08 05	Sewage sludge		12 000
19 12 10	Combustible waste	Refuse derived fuel	2000
20 01 25	Edible oils and fats		500
02 01 07	Forestry waste		2000

Condition 1.2 The operator shall not co-incinerate any hazardous waste in the small waste incineration plant.

Condition 1.3 The maximum input of waste that may be co-incinerated in the small waste incineration plant is 18 000 tonnes per annum, at a rate not exceeding three tonnes per hour.

Section 1b Delivery and reception of waste

Condition 1.4 The precautions set out in Appendix B of the application, relating to the delivery and reception of waste, shall be used to ensure that the pollution of air, soil, surface water and groundwater shall be prevented or limited as far as practicable.

Condition 1.5 The precautions set out in Appendix B of the application relating to the delivery and reception of waste shall be used to ensure that negative effects on the environment, odours and noise, and direct risks to human health shall be prevented or limited as far as practicable.

Condition 1.6 The mass of each type of waste, according to the European Waste List established by Decision 2000/532/EC, shall be determined prior to accepting the waste on site.

Condition 1.7 No hazardous waste shall be accepted onto site.

Section 2 Emissions to water

Condition 2.1 The emission limit values set out in Table 2A and Table 2B shall apply to discharges of waste waters from the cleaning of waste gases,

Table 2A: emission limit values for discharges of waste waters from waste gas cleaning

Polluting substances	Emission limit values for unfiltered samples (mg/l)	
	(95%)	(100%)
Total suspended solids as defined in Annex 1 of Directive 91/271/EEC	30	45
Mercury and its compounds as mercury (Hg)		0.03
Cadmium and its compounds as cadmium (Cd)		0.05
Thalium and its compounds as thalium (Tl)		0.05
Arsenic and its compounds as arsenic (As)		0.15
Lead and its compounds as lead (Pb)		0.2
Chromium and its compounds as chromium (Cr)		0.5
Copper and its compounds as copper (Cu)		0.5
Nickel and its compounds as nickel (Ni)		0.5
Zinc and its compounds as zinc (Zn)		1.5

Table 2B: emission limit values for discharges of waste waters from waste gas cleaning

Polluting substances	Emission limit values for unfiltered samples (ng/l)
	Dioxins and furans

Condition 2.2 The operator shall carry out the following measurements at the point 1 (combined sample) shown on Drawing No 2912 34 01.

- (a) continuous measurements of pH, temperature and flow;
- (b) spot sample daily measurements of total suspended solids OR measurements of a flow-proportional representative sample over each 24 hour period;
- (c) monthly measurements of a flow-proportional representative sample over a 24 hour period of Hg, Cd, Tl, As, Pb, Cr, Cu, Ni and Zn;
- (d) every six months measurements of dioxins and furans, except that one measurement shall be made every three months for the first 12 months of operation.

Condition 2.3 Provision shall be made for an impervious collection area for contaminated water due to spillages or fire fighting, to prevent the pollution of the land and water by contaminated water.

Section 3a Normal operating conditions

Condition 3.1 The operator shall not operate the small waste incineration plant unless the systems described in Appendix I of the application are functioning correctly.

Condition 3.2 The operator shall monitor the operation of the plant using the systems and equipment set out in Appendix H of the application.

Condition 3.3 Waste gases from the plant, including the gas engines and the thermal oxidiser, shall be discharged from the stack S1.

Note: The discharge height of the stack calculated in Appendix E of the application is 30m.

Condition 3.4 An automatic system shall be in place to stop waste feed into the gasification and pyrolysis unit in the event that any continuous measurement shows that any emission limit value is exceeded due to disturbance or failure of the thermal oxidiser.

Condition 3.5 The heat recovery systems outlined in Appendix D of the application shall be used to ensure that heat is recovered as far as possible.

Condition 3.6 The small waste incineration plant shall be operated and controlled by a natural person who is competent to manage the plant. All operational staff at the plant shall receive the training outlined in Appendix M of the application prior to commencing work at the plant. Records of the training shall be kept on site.

Section 3b Permissible periods of abnormal operation

Condition 3.7 Waste shall not be charged, or shall cease to be charged, if:

- a) the temperature indicated by the temperature probe at the exit from the thermal oxidiser is below, or falls below, 850°C; or
- b) any continuous emission limit value in Table T2 is exceeded, other than under “permissible periods of abnormal operation”; or
- c) monitoring results required to demonstrate compliance with any continuous emission limit value in Table T2 are unavailable other than during “permissible periods of abnormal operation”.

Condition 3.8 The operator shall record the beginning and the end of each permissible period of abnormal operation.

Condition 3.9 In the event of any permissible period of abnormal operation the operator shall restore normal operation of the failed equipment or replace the failed equipment at the earliest possible time.

Condition 3.10 Where, during permissible periods of abnormal operation, on an incineration line, any of the following situations arise, waste shall cease to be charged on that line until normal operation can be restored:

- a) continuous measurement shows that an emission exceeds any emission limit value in Table T2 due to disturbances or failures of the abatement systems, or continuous emission monitors or continuous effluent monitoring devices are out of service, as the case may be, for a total of 4 hours uninterrupted duration;
- b) the cumulative duration of permissible periods of abnormal operation over 1 calendar year has reached 60 hours;

Note: additional interpretation for Section 3b

“permissible periods of abnormal operation” means any technically unavoidable stoppages, disturbances, or failures of the abatement plant or the measurement devices other than continuous emission monitors for releases to air of particulates, TOC and/or CO, during which the concentrations in the discharges into air and the purified waste water of the regulated substances may exceed the normal emission limit values.

The end of the permissible period of abnormal operation means the earliest of the following:

- a) when the failed equipment is repaired and brought back into normal operation;
- b) when the operator initiates a shutdown of the waste combustion activity, as described in the application or as agreed in writing with the Regulator;
- c) when a period of four hours has elapsed from the start of the permissible period of abnormal operation;
- d) when, in any calendar year, an aggregate of 60 hours has been reached for permissible periods of abnormal operation.

Section 4 Emission limits to air

Condition 4.1 All emission limits shall be taken to be calculated at a temperature of 273.15K, a pressure of 101.3kPa, after correcting for the water content of the waste gases. The limits are standardised to 11% oxygen content.

Condition 4.2 The emission limit values in Tables T1, T2, T3 and T4 shall apply to emissions from the small waste incineration plant through stack S1.

Table T1: Daily average emission limit values in mg/Nm³

Total dust	10
Organic substances in the gas or vapour phase as total organic carbon (TOC)	10
Hydrogen chloride (HCl)	10
Hydrogen fluoride (HF)	1
Sulphur dioxide (SO ₂)	50
Nitrogen monoxide (NO) and nitrogen dioxide (NO ₂) expressed as NO ₂	200

Table T2: Half-hourly average emission limit values in mg/Nm³

Polluting substance	100 th percentile	97 th percentile
Total dust	30	10
Organic substances in the gas or vapour phase as total organic carbon (TOC)	20	10
Hydrogen chloride (HCl)	60	10
Hydrogen fluoride (HF)	4	2
Sulphur dioxide (SO ₂)	200	50
Nitrogen monoxide (NO) and nitrogen dioxide (NO ₂) expressed as NO ₂	400	200

Table T3: Average emission limit values in mg/Nm³ for heavy metals over a sampling period of a minimum of 30 minutes and a maximum of 8 hours

Cadmium and its compounds expressed as cadmium (Cd)	Total 0.05
Thalium and its compounds expressed as thalium (Tl)	
Mercury and its compounds expressed as mercury (Hg)	0.05
Antimony and its compounds expressed as antimony (Sb)	Total 0.5
Arsenic and its compounds expressed as arsenic (As)	
Lead and its compounds expressed as lead (Pb)	
Chromium and its compounds expressed as chromium (Cr)	
Cobalt and its compounds expressed as cobalt (Co)	
Copper and its compounds expressed as copper (Cu)	
Manganese and its compounds expressed as manganese (Mn)	
Nickel and its compounds expressed as nickel (Ni)	
Vanadium and its compounds expressed as vanadium (V)	

Table T4: Average emission limit values in mg/Nm³ for dioxins and furans at over a sampling period of a minimum of 6 hours and a maximum of 8 hours

Dioxins and furans	0.1
--------------------	-----

Condition 4.3 The emission limits for carbon monoxide in the waste gases shall be, in mg/Nm³:

- (a) 50 as a daily average;
- (b) 100 as a half-hourly average;
- (c) 150 as a 10 minute average.

Section 5 Monitoring of emissions to air

Condition 5.1 Measurements for the determination of concentrations of polluting substances in waste gases from the waste co-incineration plant [thermal oxidiser] shall be carried out in such a way that the samples are representative of the emissions. Sampling shall take place from points to be agreed with the Council on the stack S1.

Condition 5.2 Sampling and analysis of polluting substances shall be carried out according to CEN standards or, where CEN standards are not available, to ISO or other national or international standards ensuring the provision of data of an equivalent scientific quality. Prior written approval shall be sought from the Council if sampling methods other than CEN standard methods are proposed.

Condition 5.3 The automated measuring systems described in Appendix H of the application shall be calibrated or, where appropriate, referenced, against CEN standard methods at least once each year.

Condition 5.4 For the daily emission level values, the 95% confidence intervals of individual results shall not exceed the percentages of the emission limit values in table T5.

Table T5: percentages of emission limit values for condition 5.4

Carbon monoxide (CO)	10%
Sulphur dioxide (SO ₂)	20%
Nitrogen dioxide (NO ₂)	20%
Total dust	30%
Total organic carbon (TOC)	30%
Hydrogen fluoride (HF)	40%
Hydrogen chloride (HCl)	40%

Condition 5.5 The measurements set out in Table T6 shall be carried out for air polluting substances.

Table T6: measurements for air polluting substances

Polluting substance	Type of monitoring
Oxides of nitrogen (NO _x)	continuous
CO	
Total dust	
Hydrogen chloride (HCl)	
Sulphur dioxide (SO ₂)	
Total organic carbon TOC	

Note: the requirement to continuously monitor for HF is omitted.

Condition 5.6 The measurements set out in table T7 shall be made for the process operation parameters in that table. The measurement points are to be agreed in writing with the Council before the installation comes into operation.

Table T7: measurements of process operation parameters

Process operation parameter	Type of monitoring
Temperature	continuous
Oxygen concentration	
Pressure	
Moisture content of waste gas	

Condition 5.7 One measurement shall be made each three months of heavy metals, HF and dioxins and furans in waste gases during the first 12 months of operation of the plant. Thereafter at least two measurements of these pollutants shall be made each year.

Condition 5.8 The following parameters shall be verified while the plant is operating under the most unfavourable conditions anticipated, within one month of the plant coming into service.

- (a) Residence time (thermal oxidiser);
- (b) Minimum temperature of waste gases at the outlet from the thermal oxidiser;
- (c) Oxygen content of waste gases at the outlet from the thermal oxidiser.

Note The calculation of residence time in the thermal oxidiser is set out in supplementary information to the application.

Derogation 5.9 The residence time requirements set out in Article 50(2) of Directive 2010/75/EU shall not apply to the combustion passing through and waste gases from the gas engines G1 and G2. These waste gases shall pass through a catalytic convertor (the 'selective catalytic reduction system' referred to in the response to question 3 of the further information notice S13A/001/I01/13 and dated 7th October 2013) before entering the stack S1, and the emission limits set out in Condition 4.2 shall apply to the emissions from this stack.

Section 6 Residues

Condition 6.1 The processes and procedures set out in Appendix J of the application shall be used to ensure that residues are minimised in their amount and harmfulness and that where appropriate residues are recycled, directly in the plant or outside.

Condition 6.2 Transport and intermediate storage of dry residues shall be carried out in such a way as to prevent dispersal of those residues in the environment.

Condition 6.3 Appropriate tests shall be carried out to establish the physical and chemical characteristics and polluting potential of residues prior to determining the routes for disposal or recycling of those residues. The tests shall concern the total soluble fraction and heavy metals soluble fraction within the residues.

Section 7 Action in case of breakdown, accidents, incidents and breaches of permit conditions

Condition 7.1 In the event of any incident or accident significantly affecting the environment the operator shall

- (1) immediately inform the Council;
- (2) immediately take the steps set out in Appendix K of the application to limit the environmental consequences and to prevent further accidents or incidents;
- (3) take such complementary measures as required by the Council to limit the environmental consequences and to prevent further accidents and incidents.

Condition 7.2 In the event of any breach of permit conditions the operator shall

- (1) immediately inform the Council;
- (2) immediately take the measures required to ensure that compliance is restored in the shortest possible time;
- (3) take such complementary measures as required by the Council to restore compliance.

Condition 7.3 In the event of a breakdown the operator shall reduce or close down the operation of the plant as soon as practicable until normal operations can be restored.

Section 8 Records

Condition 8.1 The operator shall keep records as set out in Table T8

Table T8: Records		
Matter to be recorded	Type of record	Time to be retained for
Waste types and quantities accepted	Consignment notes including waste codes	statutory period of two years
Monitoring of waste gases	Electronic records including all the parameters required by permit conditions	2 years
Monitoring of waste water	Electronic records	2 years
Abnormal conditions	All relevant records including paper reports, emails and other electronic records	1 year
Training	Training given to relevant staff, with dates and reviews	period person is employed in the installation + 1 year

End of permit conditions

Signed **Date**

Mark Thompson
Head of Housing, Environment and Renewal
An authorised officer of the Council

Appendix A Permit determination timetable

Table A1 permit application determination		
Event	Date	Notes
Application received	3/7/2013	
Duly made	10/7/2013	
Schedule 5 notice served		
Consultation start	19/7/2013	Newspaper advertisements, letters to EA and Kirklees MBC
Responses considered	3/9/2013	No issues raised by EA No issues raised by Kirklees MBC No responses from public
Schedule 5 notice served	3/9/2013	
Schedule 5 Notice response	8/10/2013	Further information about sampling, energy recovery and technical details
Draft permit published	20/11/2013	Published on CMBC website
Consultation end	18/12/2013	No comments received from EA, KMBC Comments from applicant taken into account
Permit refused/ granted	18/12/2013	Granted

Appendix B Provenance of Permit Conditions

The conditions have been written to implement the requirements of Schedule 9 and Schedule 13A of the Regulations, taking into account information provided by the applicant. The requirements of Schedule 13A are framed in terms of articles of the recast Industrial Emissions Directive 2010/75/EU.

Table B1 permit conditions implementing Schedule 13A requirements		
Schedule 13A requirement	Subject	Conditions, notes
Article 5(1), 5(3)	granting a permit	Procedural
Article 7	regulator to require operator to take action in event of accidents or incidents	Section 7 Condition 7.1
Article 8(2)	regulator to require operator to take action in the event of a breach of permit conditions	Section 7 Condition 7.2
Article 9	greenhouse gases	Procedural
Article 42(1)	scope of chapter on waste incineration/ co-incineration (ie, applicability to types of waste etc)	Procedural
Article 43	definition of 'residue'	Procedural
Article 45(1), 45(2), 45(4)	(1)(a) permit conditions to include list of permitted waste types, total capacity of plant, limit values for emissions, sampling and measurement frequencies; (1)(f) limits on periods of higher emissions; (2) list of quantities of hazardous waste; (4) requirement to review permit conditions.	Section 1 Section 3b Procedural
Article 46	control of emissions, and emission limits to air and water; prevention of accidental releases to air, land and water, including storage of contaminated rainwater in the event of spillage, fire; plant not to be run for more than 4 hours where emission limits not met.	Section 2 Condition 2.3 Section 3 Section 4
Article 47	action in case of breakdown	Section 7 Condition 7.3
Article 48(1) 48(2) 48(3) 48(4)	monitoring and recording requirements	Section 2 Section 5 – point 2.3 of Part 6 of Annex VI has been applied.
Article 49	determining compliance with emission limit values	Procedural

Article 50	specifying operating conditions including temperature and residence times, automatic feed systems, interlocks	A derogation (Derogation 5.9) has been used in relation to Article 50(2) for residence time in a gas engine. The gas engines cannot operate if these requirements are imposed, and a catalytic oxidation system is to be used to meet the emission limits.
Article 51(1) (2) (3)	authorising changes to operating conditions	
Article 52	requirements for delivery and reception of waste	Section 1
Article 53	minimisation, storage and transport of residues	Section 6
Article 54	substantial change definition	Adopted from IED
Article 55	information to be made available to the public	Procedural
Article 82(5), 82(6)	transitional arrangements	Procedural

Article of Directive 2008/98/EC (Waste Framework Directive)	Consideration
Article 4; waste hierarchy	The nature of the operation satisfies (d) other recovery (energy recovery, recovery of biochar for re-use). N.B (a) to (c) cannot be applied to the sewage sludge.
Article 13; protection of human health and the environment	Achieved through permit conditions
Article 23(1); issue of permits	Achieved through permit conditions
Article 18(b) and (c); ban on mixing hazardous waste	No hazardous waste is used in the operation, and this is set out in permit conditions
Article 23(4); recovery of energy	Achieved through the permit conditions. Heat recovered for drying of sludge and pre-heating of syngas. 'Low grade' heat (in low temperature streams) not recoverable and some higher grade heat cannot currently be used on site.
Article 35(1); record keeping	No hazardous waste brought onto or used on site.

Drawings and plans

Plan S13A/001/P1 is a plan showing the boundary of the installation

Drawing No. 2912 34 01 is a drawing provided by the operator showing sampling points for water used in the cleaning of waste gases

Explanatory notes

These notes are not permit conditions. They are included so that the operator is aware of matters relevant to, but not part of, the permit. They reflect the statutes and statutory guidance in place at the date of issue of the permit.

1. This Permit is given in relation to the requirements of the Environmental Permitting (England and Wales) Regulations 2010 (as amended). It must not be taken to replace any responsibilities under workplace Health and Safety Regulations.
2. This Permit does not detract from any other statutory requirement, such as the need to obtain planning permission, building regulation approval, hazardous substances consent, discharge consents, waste disposal licence or any licence or consent from the Environment Agency.
3. The annual subsistence fee is due on 1 April each year. Failure to pay the fee will lead to revocation of the Permit.
4. The operator may apply for a variation to the conditions of this permit. A fee will be payable in certain cases.
5. The operator may surrender this permit in whole or in part in the event that the installation ceases to operate. A fee will be payable, subject to applicable regulations.
6. The operator may, on joint application with another proposed operator, apply to transfer this permit to the proposed operator. A fee will be payable in this case.
7. Application forms and more information about environmental permitting can be found on the Council's website www.calderdale.gov.uk.
8. All enquiries and notifications made in relation to this Permit should be made to:

Calderdale Metropolitan Borough Council
Environmental Health
Housing, Environment and Renewal
Halifax
HX1 1UN

Tel: 01422 392379 Fax: 01422 392399
Email: environmental.health@calderdale.gov.uk

Incidents occurring outside office hours can be reported by telephoning 08451 111 137 and asking for the Out of Hours Officer. In this case notification should also be sent by email to the address above.

Appeals

You can appeal against any or all of the conditions of this permit. This is allowed under Regulation 31(2)(b). Appeals must be made within six months of the permit being issued.

How to appeal

There are no forms or charges for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide (see paragraphs 2(1) and (2) of Schedule 6 of the 2010 Regulations):

- the appropriate authority written notice of the appeal
- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or dealt with by way of written representations.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for confidentiality under regulation 48 of the 2010 Regulations, and provide relevant details – see below. Unless such information is provided all documents submitted will be open to inspection.

Where to send your appeal documents

Appeals should be despatched on the day they are dated, and addressed to:

The Planning Inspectorate
Environment Team, Major and Specialist Casework
Room 4/04 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Or for appeals in Wales:

The Planning Inspectorate
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

If an appeal is made, the main parties will be kept informed about the next steps, and will also normally be provided with additional copies of each other's representations.

To withdraw an appeal – which may be done at any time - the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority who must in turn notify anyone with an interest in the appeal.

Costs

The operator and local authority will normally be expected to pay their own expenses during an appeal. Where a hearing or inquiry is held as part of the appeal process, by virtue of paragraph 5(6) of Schedule 6, either the appellant or the authority can apply for costs. Applications for costs are normally heard towards the end of the proceedings and will only be allowed if the party claiming them can show that the other side behaved unreasonably and put them to unnecessary expense. There is no provision for costs to be awarded where appeals are dealt with by written representatives.

Confidentiality

An operator may request certain information to remain confidential, ie not be placed on the public register. The operator must request the exclusion from the public register of confidential information at the time of supply of the information requested by this notice or any other notice. The operator should provide clear justification for each item wishing to be kept from the register. The onus is on the operator to provide a clear justification for each item to be kept from the register. It will not simply be sufficient to say that the process is a trade secret.

The test of whether information is confidential for the purposes of being withheld from the public register is complex and is explained, together with the procedures, in chapter 8 of the PPC General Guidance Manual.

National security

Information may be excluded from the public register on the grounds of National Security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the operator may apply to the Secretary of State/Welsh Ministers, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, who will not include the information on the public register until the Secretary of State/Welsh Ministers has decided the matter.