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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H04-0823-17 **Date of Decision:** 8th October 2018
Applicant: National Grid Viking Link Ltd
35 Homer Road
Solihull
West Midlands
B91 3QJ

Location: North Ing Drove Donington Spalding

Description: Works to facilitate the Viking Link electrical interconnector with an approximate capacity of 1400 megawatts (MW) extending from Revsing, Jutland, (Denmark) to Bicker Fen, Lincolnshire (UK) comprising:

- Installation of two (2) subsea high voltage direct current (DC) cables between Mean Low Water Springs (MLWS) and landfall at Boygrift in East Lindsey;
- Installation of two (2) onshore DC cables between the landfall at Boygrift and the converter station at North Ing Drove in South Holland;
- Construction of associated Temporary Construction Compounds (TCC) and Temporary Works Areas (TWA) and temporary vehicle access arrangements required for DC and AC cable installation;
- Erection of converter station buildings together with the formation of internal roads, permanent access road from the A52, erection of security fencing, formation of landscaping with associated temporary construction compounds;
- Installation of up to six (6) onshore high voltage alternating current (AC) cables between the converter station at North Ing Drove and the existing Bicker Fen 400 kilovolt (400kV) Substation owned and operated by National Grid Electricity Transmission Plc (NGET);
- Installation of link pillars along the AC cable route for inspection and maintenance purposes, these will be contained within fenced areas;
- Installation of all associated drainage mitigation works; and
- Installation of fibre-optic cable(s) with the high voltage AC and DC cables

South Holland District Council hereby give notice that this application has been GRANTED (or equivalent) subject to the following condition(s):

- 1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and Environmental Statement and Appendices insomuch as they relate to the administrative boundary of South Holland:

Environmental Statement (Reference VKL-08-39-G500-009): Volume 1 Non-Technical Summary; Volume 2 Main Report; Volume 3 Figures and Volume 4 Technical Appendices;

Supplementary Environmental Information Report (Reference VIK-08-39-G500-023);

VKL-08-39-G500-010 Flood Risk Assessment;

VKL-08-39-G500-012 Design Code;

Drawings:

VKL-02-34-G100-049 UK Onshore Scheme Application Site Location Plan Sheet 43, Application boundary

VKL-02-34-G100-050-Rev.01 UK Onshore Scheme Application Site Location Plan Sheet 44, Application boundary

VKL-02-34-G100-052-Rev.01 UK Onshore Scheme Application Site Location Plan Sheet 46, Application boundary

VKL-02-34-G100-053-Rev.01 UK Onshore Scheme Application Site Location Plan Sheet 47, Application boundary

VKL-02-34-G100-097 UK Onshore Scheme Application Works Plans Sheet 43, Works Plan

VKL-02-34-G100-098 UK Onshore Scheme Application Works Plans Sheet 44, Works Plan

VKL-02-34-G100-100-Rev.01 UK Onshore Scheme Application Works Plans Sheet 46, Works Plan

VKL-02-34-G100-101 UK Onshore Scheme Application Works Plans Sheet 47, Works Plan

VKL-02-07-G-300-012 CS_Base_Design_Layout_v0, Converter Station

VKL-02-07-G-300-013 CS_Landscape_Masterplan_v2, Converter Station

VKL-02-07-G300-001 Longsections, Permanent access road

VKL-02-07-G300-002 Longsections, Permanent access road

VKL-02-07-G300-003 Chainage Location Plan, Permanent access road

VKL-02-07-G300-004 General Arrangement & Typical Cross Sections , Permanent access road

VKL-02-07-G300-005 General Arrangement & Typical Cross Sections , Permanent access road

VKL-02-07-G300-006 General Arrangement & Typical Cross Sections , Permanent access road

VKL-02-07-G300-007 Pavements & Kerbing , Permanent access road

VKL-02-07-G300-008 Pavements & Kerbing , Permanent access road

VKL-02-07-G300-009 Pavements & Kerbing , Permanent access road

VKL-02-07-G300-011 Hammond Beck Bridge Preliminary Outline Design General Arrangement, Permanent access road

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Except for the Permitted Preliminary Works, the commencement of the Development of the converter station shall not take place until there has been submitted to, approved in writing by, and deposited with the Council a scheme which shall include provisions for the:

(i) details of the siting, design, external appearance and dimensions of all buildings and structures which form part of the converter station;

(ii) details of the colour, materials and surface finishes in respect of those buildings and structures referred to in (i) above;

(iii) details of vehicular circulation roads, parking, hardstandings, turning facilities and loading and unloading facilities on the converter station site;

(iv) details of all new or modified permanent fencing and gates required on the converter station site; and

(v) details of permanent artificial lighting required during the operation of the converter station.

Reason: To enable the Council to exercise reasonable and proper control over the design and appearance of the Development.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

- 4 The dimensions of the main buildings and structures of the converter station shall not exceed the dimensions set out in Table 17.3 and 17.4 of chapter 17 of the Environmental Statement.

Reason: To enable the Council to exercise reasonable and proper control over the design and appearance of the Development.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

- 5 Prior to the commencement of any other engineering operations within the parts of the permitted development that will be accessed from the A52 Donington by-pass, the A52 shall be improved by the construction of a Ghost Island Right-turn Lane, the details of which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of providing safe and adequate access for the construction of the permitted development and to ensure the safety of the users of the public highway.

This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

- 6 Except for Permitted Preliminary Works the commencement of the converter station construction shall not take place until there has been submitted to, approved in writing by,

and deposited with the Council a Construction Environmental Management Plan. The Plan shall include details of how noise, dust and other airborne pollutants, vibration, smoke, and odour from construction work including from piling and associated traffic movements, from both inside and outside the Site boundary, will be controlled and mitigated. The construction of the specified phase of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing by the Council.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 7 Except for Permitted Preliminary Works the commencement of the underground cable installation shall not take place until there has been submitted to, approved in writing by, and deposited with the Council a Construction Environmental Management Plan. The Plan shall include details of how noise, dust and other airborne pollutants, vibration, smoke, and odour from construction work including from piling and associated traffic movements, from both inside and outside the Site boundary, will be controlled and mitigated. The construction of the specified phase of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing by the Council.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006

- 8 Except for Permitted Preliminary Works the commencement of the converter station construction shall not take place until there has been submitted to, approved in writing by, and deposited with the Council a Construction Traffic Management Plan. For the avoidance of doubt all construction traffic for the converter station shall use the permanent access road from the A52. The construction of the converter station shall be completed in accordance with the approved Plan unless otherwise agreed in writing by the Council.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development.

This Condition is imposed in accordance with Policies SG15 and SG17 of the South Holland Local Plan 2006.

- 9 Except for Permitted Preliminary Works the commencement of the underground cable installation shall not take place until there has been submitted to, approved in writing by, and deposited with the Council a Construction Traffic Management Plan and Access Route which incorporates adequate provision for addressing any abnormal wear and tear to the highway has been submitted to, approved in writing by and deposited with, the Council. The Construction Traffic Management Plan shall include proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure that no other local roads are used by construction traffic. The underground cable installation shall be completed in accordance with the approved Plan unless otherwise agreed in writing by the Council.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development.

This Condition is imposed in accordance with Policies SG15 and SG17 of the South Holland Local Plan 2006.

- 10 All activities associated with the construction of the Development shall be carried out in accordance with British Standard 5228: 2009 +A J :2014 : Code of practice for noise and vibration control on construction and open sites - Part 1 - Noise, Part 2 - Vibration.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 11 No construction work associated with the Development shall take place on the Site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday 0700 - 1900

Saturday 0700 - 1700

Unless such work -

(a) is associated with an emergency ; or

(b) is carried out with the prior written approval of the Council; or

(c) does not cause existing ambient background noise levels to be exceeded.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 12 No impact piling approved under the Plan approved pursuant to Condition (14) shall take place on the Site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday 09.00 - 18.00

Saturday 09.00 - 13.00

Unless such work -

(a) is associated with an emergency; or

(b) is carried out with the prior written approval of the Council.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local

Plan 2006.

- 13 No heavy commercial vehicles associated with the construction of the Development shall enter or leave the Site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday 0700 - 1900
Saturday 0800 - 1600

Unless such movement:

(a) is associated with an emergency; or

(b) is carried out with the prior written approval of the Council.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development and to reduce the number of traffic movements for the safety of other road users and pedestrians.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 14 In any instance where a time limitation referred to in Conditions (11), (12) and (13) is not adhered to, the applicant shall as soon as practicable notify the Council and follow up the notification with a written statement detailing the nature of the emergency and the reason why the time limitation could not be observed .

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 15 The use of columns for artificial lighting shall not exceed the obtrusive light limitations of sky glow, light into windows, source intensity and building luminance specified in the Institution of Lighting Engineers document "Guidance Notes for the Reduction of Obtrusive Light: GNO1 2011", nor shall such lighting be arranged so that danger or inconvenience is caused to users of the nearby public highways.

Reason: To reduce light pollution and protect the amenity of local residents and highway safety.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 16 For the duration of the construction period of the converter station and underground cable installation all heavy commercial traffic associated with the construction of the converter station and underground cable installation will comply with the Construction Traffic Management Plan and use only the Construction Traffic Access Route and no other local roads unless approved in writing with the Council in consultation with the Highway Authority or is associated with an emergency.

Reason: To ensure reasonable and proper control to be exercised over the methods of

construction of the Development and to reduce the number of traffic movements for the safety of other road users and pedestrians.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006

- 17 The commissioning of each phase of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council a programme based on the Environmental Statement for the monitoring and control of noise generated by the normal commercial operation of the specified phase of the Development. The programme shall specify the locations from which noise will be monitored, the method of noise measurement (which shall be in accordance with BS 4142 2014 and the maximum permissible levels of noise at each such monitoring location. At such measurement locations noise levels shall not exceed the levels specified in the approved programme, except in an emergency or with the prior written approval of the Council.

Reason: To ensure the proper control of noise during the operation of the Development.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006

- 18 A point of contact will be provided by the applicant to local residents and Local business for any queries or complaints relating to noise generated by the construction and/or operation of the Development. If a local resident or local business complains direct to the applicant or the applicant has been notified in writing by the Council of any complaint about noise generated by the construction and/or operation of the Development the applicant shall carry out investigations to establish the justification, or otherwise, of the complaint, the likely cause and possible remedial measures. A written report to the complainant, copied to the Council, shall be made as soon as reasonably practicable following the investigation and/or remedial work. The applicant shall keep all such reports in an appropriate file and such file shall be made available to the Council on request.

Reason: To ensure that any complaints on the grounds of noise are properly dealt with so as to reduce the impact of the Development on local residents.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

- 19 Except for the Permitted Preliminary Works, the commencement of each phase of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council, in consultation with the Environment Agency, a scheme showing the method and working of drainage facilities on the Site associated with the specified phase of the Development. Such facilities shall be put in place in accordance with the approved scheme. The specified phase of the Development shall be completed in accordance with the approved scheme unless otherwise agreed in writing by the Council.

Reason: To ensure proper drainage of the Site and that proper containment facilities are built.

This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

- 20 The scheme referred to in Condition (19) shall include:

(i) measures to ensure that no leachate or any contaminated surface water from the Site associated with the specified phase of the Development shall be allowed at any time to enter directly or indirectly into any watercourse or underground strata or onto adjoining land;

(ii) provision to ensure that all existing drainage systems continue to operate and that riparian owners upstream and downstream of the Site associated with the specified phase of the Development are not adversely affected;

(iii) provision for trapped gullies in car parks, hardstandings and roadways;

(iv) measures to ensure that all foul sewage drains to an approved foul sewerage and/or sewage disposal system;

(v) provisions to distinguish between temporary and permanent parts of the works; and

(vi) provision to ensure that there is no discharge of water from the Site associated with the specified phase of the Development until such a time as the permanent surface water drainage system is operational with provisions to contain any run-off from the Site associated with the specified phase of the Development.

Reason: To ensure proper drainage of the Site and that proper containment facilities are built.

This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

- 21 Any surface water contaminated by hydrocarbons which are used during the construction of the Development shall be passed through oil/grit interceptor(s) prior to being discharged to any public sewer or watercourse or to any other surface water disposal system approved by the Environment Agency.

Reason: To ensure proper drainage of the Site and that proper containment facilities are built.

This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

- 22 All facilities required for the storage of hydrocarbons, process chemicals or similar liquids which are used during the construction of the Development must be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound(s) shall be at least equivalent to the capacity of the largest tank plus 10%. All filling points, vents and sight glasses must be located within the bund and there must be no drain through the bund floor or walls.

Reason: To ensure that proper containment facilities are built.

This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

- 23 Any storage facility to which Conditions (21) or (22) refer shall be completed in accordance with the requirements of those Conditions before being brought into use.

Reason: To ensure that proper containment facilities are built.

This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

- 24 Except for the Permitted Preliminary Works contaminated material arising from the construction of the Development shall be treated on the Site in accordance with a scheme to be submitted to, approved in writing by, and deposited with, the Council, in consultation with the Environment Agency, or shall be disposed of to licensed disposal facilities.

Reason: To ensure that contaminated waste found on the Site is disposed of properly.

This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

- 25 The commencement of the converter station construction shall not take place until a scheme of landscaping and creative conservation which shall accord with the approach outlined in the landscape and ecology chapters and appendices of the Environmental Statement, has been submitted to and approved in writing by the Council, in consultation with Natural England and the Environment Agency. The specified phase of the Development shall be completed in accordance with the approved scheme unless otherwise agreed in writing by the Council.

Reason: To ensure proper landscaping for the Development.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006.

- 26 The scheme referred to in Condition (25) shall deal with the treatment of any environmentally sensitive areas their aftercare and maintenance as well as the general provision of screening, shrub and tree planting and grassed areas and means of integrating the Development with the surrounding landscape and shall include details of the following matters:

(i) planting (which should be mainly of locally native species, ideally with a local provenance);

(ii) management of existing and new planted areas including protection of existing planting during construction;

(iii) restoration of areas affected by construction works;

(iv) details of grass seed mix for areas of the Site to be restored to grassland;

(v) details of the height, type, size and species of the shrubs and trees to be planted ;

(vi) details of the measures to be taken to create new flora and fauna habitats and of the management of such new habitats including the Sustainable Urban Drainage Water feature.

Reason: To ensure proper landscaping for the Development.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local

Plan 2006.

- 27 The landscaping and planting, including grass sowing, shall take place in accordance with the scheme referred to in Condition (25) and no later than the appropriate planting or sowing season following the completion of the construction of the specified phase of the Development, unless otherwise agreed in writing by the Council. Any trees or shrubs, including hedges, which die, become seriously damaged or diseased or are removed within five years from the date of planting shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Council.

Reason: To ensure proper landscaping for the Development.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006.

- 28 The construction of the Development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (VKL-08-39-G500-010), especially the following mitigation measures detailed in the FRA:

(i) the converter station zone shall be located on a platform set no lower than 2.9 metres above Ordnance Datum; and

The mitigation measures shall be fully implemented prior to occupation and the Company shall confirm completion of the approved scheme in writing to the Council and the Environment Agency within one month thereafter.

Reason: To reduce the risk of flooding to the Development and future occupants.

This Condition is imposed in accordance with national guidance contained in Section 14 of the National Planning Policy Framework, 2018.

- 29 The commencement of the Development shall not take place until a surface water drainage scheme for the Site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the Development, has been submitted to and approved in writing by the Council. The scheme shall be implemented in accordance with the approved details prior to the commissioning of the Development unless otherwise agreed in writing by the Council.

Reason: To ensure there is no increase in the risk of flooding, both at the Site and to third parties, as result of the Development.

This Condition is imposed in accordance with Policies SG11 and SG12 of the South Holland Local Plan 2006 and national guidance contained in Section 14 of the National Planning Policy Framework, 2018.

- 30 Within 6 months of the Development ceasing to be used for the purposes of electricity transmission the Company shall submit to the Council, for approval in writing, a scheme for the demolition and removal of redundant buildings and structures from the Site and the restoration of the Site and unless otherwise agreed in writing by the Council shall thereafter implement the approved scheme.

Reason: To ensure the Site is not allowed to become derelict after the cessation of

electricity transmission.

31 The scheme referred to in Condition (30) shall include:

- (i) details of all structures and buildings which are to be demolished;
- (ii) details of the means of removal of materials resulting from the demolition;
- (iii) the phasing of the demolition and removal;
- (iv) the means of de-contaminating the Site;
- (v) the means of removal of any contaminated material;
- (vi) the phasing of the de-contamination works;
- (vii) details of the restoration works; and
- (viii) the phasing of the restoration works.

Reason: To ensure the Site is not allowed to become derelict after the cessation of electricity transmission.

32 No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
 2. A methodology and timetable of site investigation and recording
 3. Provision for site analysis
 4. Provision for publication and dissemination of analysis and records
 5. Provision for archive deposition
 6. Nomination of a competent person/organisation to undertake the work
 7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
- The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2018. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

33 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 32 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2018.

- 34 A copy of the final report required in connection with Condition 32 above shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2018.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>



Phil Norman
Planning and Building Control Manager
South Holland District Council

BUILDING REGULATIONS:

This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

RIGHTS OF APPEAL

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 grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice OR the timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

All appeals must be made using an Appeal Form which you can get from The Planning Inspectorate at Temple Quay House, 2 The Square, Bristol, BS1 6PN (tel: 0303 444 5000) or you can submit your appeal online at:

<http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

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 it imposed, having regard to the statutory requirements, to the

provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

For detailed information on appeals, appeal types and guidance on the appeals process please visit:

<http://www.planningportal.gov.uk/planning/appeals/planningappeals>

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant 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 can he 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 the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.