

The Planning (Hazardous Substances) Act 1990
The Planning (Hazardous Substances) Regulations 1992
Notice of Appeal Under Regulation 13(5)

(The following notice must also be served on the owner if certificates B and C are used.)

To be served on an owner

("Owner" means a person having a freehold interest or a tenancy, the expired term of which is not less than seven years.)

I give notice that (a) _____

Having applied to the (b) _____

For hazardous substances consent/the continuation of hazardous substances consent* to (c)

At (d) _____

is appealing to the Secretary of State for the Environment

*against the decision of the (b) _____

*on the failure of the (b) _____

To give note of a decision

If you wish to make representations about the appeal you should write to the Planning Inspectorate at
4/09 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Within 21 days of the date of service of this notice.

Signed

Date

*On behalf of

*Delete where appropriate

Notes

Insert:

- appellant's name
- name of the health and safety authority to which the application was made
- brief details of the consent being sought
- address or location of the application site

Hazardous Substances Consent Appeal to the secretary of State

Planning (Hazardous Substances) Act 1990
Planning (Hazardous Substances) Regulations 1992

Please this form clearly and send one copy to the Inspectorate and one copy to Hazardous Substances Authority

A. Information about the appellant(s)

Full Name(s) _____

Address _____

_____ Post code _____

Daytime Telephone Number _____

Reference _____

Agent's name (if any) _____

Agent's Address _____

_____ Post code _____

Daytime Telephone Number _____

Reference _____

B. Details of the appeal

Name of Hazardous Substances Authority (HSA) _____

Description of the proposal

Address of the site _____

National grid reference (See Ordnance Survey Map for instructions) Grid letters: Grid Numbers e.g. TQ _____

Date and reference no. of application in respect of which you are appealing _____

Date of HSA Decision (if any) _____

Tick appropriate boxes on this page

C. Procedure

Do you wish to appear before and be heard by an Inspector? (i.e. a local inquiry)

Yes No

OR

Do you agree to the written procedure?

Yes No

(i.e. an exchange of written statements with the HSA plus a visit to the site by an inspector)

If you agree to the written procedure, could the Inspector see the whole site clearly from the road or other public land?

Yes No

D. Supporting Documents

You must enclose a copy of each of the following with the appeal form sent to the Inspectorate

- The application made to HSA
- The notice and the appropriate certificate provided to the HSA in accordance with regulation 6 of the 1992 regulations;
- The certificate submitted to the HSA in accordance with regulation 7;
- The appropriate regulation 13 certificate for this appeal (look at the notes then tick box to show which certificate you have enclosed) NB you should also enclose a copy of the Notice if you have completed Certificate b, C or D;
 - A B C D Notice
- Each of the plans, drawings and documents sent to HSA as part of the application they considered;
- The HSA's decision (if any);
- All other relevant correspondence with HSA;
- A plan showing the site, marked in RED, in relation to named roads (preferably on the extract from the relevant 1:10,000 OS Map).

You should also enclose copies of the following, if appropriate;

- Any other plans, drawings and documents sent to the HSA but which did not form part of the application (e.g. drawings for illustrative purposes);
- Any additional plans or drawings relating to the application but not previously seen by the HSA. Number them clearly and note the numbers here:

E. The Appeal

THIS APPEAL IS AGAINST

The decision of the HSA

- *refusing/granting subject to conditions, hazardous substances consent for the proposal described above;
- Refusing to *vary/remove condition(s) attached to a previous grant of hazardous substances consent;
- Refusing to give any consent, agreement or approval required by a condition attached to a previous grant of Hazardous Substances consent
- Refusing a continuation of hazardous substances consent applied for under Section 17

OR

- The failure of the HSA to give notice of their decision within the appropriate period for permission or approval.
- F. Grounds of Appeal

If you have agreed to the written procedure you **MUST** make your FULL STATEMENT OF CASE here.

If you have not agreed to the written procedure, you should give a brief outline of your case

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COMPLETE AND SIGN THE DECLARATION BELOW

I confirm that a copy of each supporting documents indicated above is enclosed and that the relevant plans have been clearly marked.

I also confirm that a copy of this appeal form and any supporting documents not previously seen by the HSA has been sent to them.

Signed	*On behalf of
Name In Capitals	Date

Now check that you have:
Completed the form;
Enclosed all the supporting documents;
Set out above your grounds of appeal

Send one copy of the appeal form with all the supporting documents to:
4/09 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

The second copy of the appeal form must be sent to the HSA at the address from which you received the decision on your application (or any acknowledgements, etc.) enclosing only copies of those documents not previously seen by the HSA.