Town and Country Planning Act 1990 Form P2

Planning Permission

Name and address of applicant

Material Change Ltd
c/o Robert Doughty Consultancy Ltd

Name and address of agent (if any)

Robert Doughty Consultancy Limited
32 High Street
Helpringham
Sleaford
NG34 0RA

Part I - Particulars of application

Date of application:
27 August 2019

Application No.
H02-0912-19
LCC Ref. No.
PL/0145/19

Particulars and location of development:

To vary condition 2(b) of planning permission H2/1057/15 at Decoy Farm, Spalding Road, Crowland, Peterborough, PE6 0LX

Part II - Particulars of decision

The Lincolnshire County Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of such commencement.

   Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

Date: 6th January 2020

N McBride

Lancaster House, 36 Orchard Street
Lincoln LN1 1XX

Head of Planning
Lincolnshire County Council

1. There may be pre-development conditions attached to this notice and if these are not complied with before development commences then you may not have been deemed to have been granted planning consent.

2. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.

2. The development hereby permitted shall only be carried out in accordance with the following documents and plans, unless otherwise agreed in writing with the Waste Planning Authority or where modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions:

- Planning Application Form and Environmental Statement including the following technical appendices and supplementary reports (all date stamped received 2 July 2014);
- Odour & Bioaerosol Assessment (prepared by Material Change);
- Flood Risk Assessment (prepared by RM Associates);
- Specification for Scheme of Archaeological Work (prepared by APS);
- Landscape Impact Appraisal (prepared by RDC Ltd);

The following approved plans and drawings:

- 18561/101 Rev B – Site Location Plan;
- Basic Layout Plan Drawing Number 18561/SK300 (Date Stamped 16 September 2019)
- Existing Elevations (1/2) Drawing Number 18561/2005 (Date Stamped 16 September 2019)
- Existing Elevations (2/2) Drawing Number 18561/2006 (Date Stamped 16 September 2019).

Reason: To define the permission and to ensure the development is implemented in all respects in accordance with the approved details.

3. All external site operations and activities authorised or required in association with this development (including vehicular traffic associated with the delivery of waste materials or export of products and materials) shall only be carried out between the following hours:

07:30 to 18:00 hours – Monday to Friday;
07:30 to 16:00 hours – Saturdays;
07:30 to 12:00 hours – Sundays, Public and Bank Holidays.

Reason: In the interests of limiting the effects of the development on local amenity and to define the permitted hours of operation.

4. The odour mitigation measures, monitoring, reporting and review mechanisms contained within 'The Odour Assessment and Management Plan' (document Ref: 3378-CAU-XX-XX-RP-V-0305-A0-C1 dated May 2018 contained within Appendix I of Volume 2 of the Environmental Statement) shall be implemented in full and maintained for the duration of the development. All monitoring records shall be retained for a 12 month period at the site and shall be made available for inspection by the Waste Planning Authority within five working days of a request.

Reason: To minimise the potential nuisances and impacts of noise and odours arising from the development on the surrounding area.

5. The roller shutter doors of the waste reception building shall be kept closed at all times except when required to be open for the movement of vehicles in and out of the building.

   Reason: To minimise the potential nuisances and impacts of noise and odours arising from the development on the surrounding area.

6. All vehicles, plant and machinery operated at the site shall be maintained in accordance with the manufacturers specification at all times, and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be remedied within two days, the vehicle, plant or machinery affected shall be taken out of service.

   Reason: To minimise the potential nuisances and impacts of noise and odours arising from the development on the surrounding area.

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

   Reason: In the interest of minimising noise pollution.

8. Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Waste Planning Authority.

   Reason: In the interests of safeguarding nesting birds that are protected by law.

9. From the date of this permission the operator shall maintain records of waste imports to the anaerobic digestion plant including details of relevant weight and type of waste being imported. The operator shall make these records available to the Waste Planning Authority within 28 days of a written request.

   Reason: To enable the Waste Planning Authority to monitor waste throughput to plan for future waste facilities.

Informative

Attention is drawn to:

In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by processing the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way

to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of receipt of this notice. (Appeals must be made either electronically via the Planning Portal at https://www.gov.uk/government/organisations/planning-inspectorate or by using a form which can be obtained by contacting the Customer Support Team on 0303 444 00 00). The Secretary of State has a power to allow a longer period for the giving notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving of a notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by them. Please note, only the applicant possesses the right of appeal.

2. Applicants that want a planning appeal to follow the Inquiry procedure should notify the local planning authority and the Planning Inspectorate at least 10 working days before submitting their planning appeal. Further information and a copy of the template notification form can be found here: https://www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal

   The form should be emailed to Lincolnshire County Council at dev_planningenquiries@lincolnshire.gov.uk and the Planning Inspectorate at inquiryappeals@planninginspectorate.gov.uk

3. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, they may serve on the council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

4. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

_planningadvice

From: Dev_PlanningSupport <Dev_PlanningSupport@lincolnshire.gov.uk>
Sent: 07 January 2020 09:16
To: _planningadvice
Subject: Planning Application Decision Notification
Attachments: H02-0912-19 Decision Notice.pdf

This message originated from outside your organization

Dear Sir/Madam

PLANNING APPLICATION NUMBER: H02-0912-19 (PL/0145/19)
DEVELOPMENT: TO VARY CONDITION 2(B) OF PLANNING PERMISSION H2/1057/15
LOCATION: DECOY FARM, SPALDING ROAD, CROWLAND, PETERBOROUGH, PE6 0LX

Lincolnshire County Council has granted permission for the development referred to above. A copy of the Decision Notice is attached which should be placed on your Council's Statutory Planning Register.

Yours faithfully

HIGHWAYS MANAGEMENT | ACHIEVEMENT AWARDS 2019 WINNER MJ

Lincolnshire COUNTY COUNCIL Working for a better future

Planning Technical Support
Planning

Lancaster House I Orchard Street I Lincoln I
LN1 1XX
Tel: 01522 782070

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