SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Observations of District Council on County Matter

Reference: H08/0798/94 Received:12-AUG-94 Type:COUNTY MATTER

Name: Black Sluice I.D.B.
72 Carlton Road
Boston
Lincs
PE21 8DZ

Agent: Lincolnshire County Council
Highways & Planning Dept
4th Floor, City Hall
Beaumont Fee
Lincoln LN1 1DN

Description: Proposed dump area for aquatic weeds removed from drains at pump station weedscreens, temporary store of topsoil
Location : Gosberton Pumping Station Kingston's Bridge
Gosberton High Fen Spalding Lincs

South Holland District Council have considered the proposal and have no objections, subject to any condition(s) set out below:

Conditions referred to in your letter of 7 September 1994.

Director of Planning and Building Control Services
19-SEP-94 H08/0798/94

This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)

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Planning permission

Name and address of applicant

Black Sluice Internal
Drainage Board
72 Carlton Road
Boston
Lincs
PE21 8DZ

Name and address of agent (if any)

Part I - Particulars of application

Date of application:

4 August 1994

Application no.

H8/798/94

Particulars and location of development:

To use land for the storage of aquatic and inert waste at Gosberton Pumping Station, Kingston Bridge, Gosberton.

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

2. Before any development is commenced the approval of the Director of Highways and Planning is required to a scheme of landscaping and tree planting for the site (indicating inter alia the number, species, heights on planting and positions of all the trees). Such scheme as approved by the Director of Highways and Planning shall be carried out in its entirety within the period of 12 months beginning with the date on which development is commenced, (or within such longer period as may be agreed in writing with the Director of Highways and Planning). All trees, shrubs and bushes shall be adequately maintained for the period of 10 years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Cont....

Date 24 OCT 1994

County Offices,
Lincoln

Chief Executive
Lincolnshire County Council

Note: 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, byelaw, order or regulation.

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3. No waste material shall be stored or stacked on the site to a height exceeding 3 metres.

4. Details of the proposed soil bund shall be submitted to and approved by the Director of Highways and Planning prior to the commencement of any development.

5. The application site shall be used only for the storage of aquatic waste emanating from the Black Sluice Internal Drainage Board's pumping station and storage of topsoil and subsoil emanating from the Board's construction works.

6. Any fuel storage above ground and refuelling facilities, including portable units, shall be bunded to at least 110% of the tank capacity and constructed on an impermeable base with an independent sealed drainage system with no direct discharge to any watercourse, land or underground strata.

7. Aquatic waste and associated contaminated waters shall be stored and disposed of in a manner that will not lead to pollution of surface or underground water.

8. Before any development commences at the site details shall be submitted to and approved by the Director of Highways and Planning of measures to suppress flies, dust and malodours. The aquatic waste must be maintained in an aerobic condition at all times.

9. Site operators shall ensure that any leachate from the operations is stored and contained in a sealed system and disposed of to an approved site.

10. Details of the base of the application site shall be submitted to the Director of Highways and Planning for approval prior to any development commencing on site.

The reasons for the conditions are:

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. 3. 4 & 5. To protect the visual amenity of the open countryside.

6. 7. 8. & 9. To prevent pollution of the water environment and to protect local amenity.

10. No such details were included with the application.

Attention is drawn to the requirements of the National Rivers Authority contained in their letter dated 30 August 1994 (ref GT/94/1/LCC/0102) addressed to Lincolnshire County Council.

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, he may appeal to the Secretary of State for the Environment 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 on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ). The Secretary of State has a power to allow a longer period for the giving notice of appeal but he 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 him 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. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, 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, he 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.

3. 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 him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Town and Country Planning Act etc

DRAFT PERMISSION

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Location : Gosberton Pumping Station Kingston's Bridge
Gosberton High Fen Spalding Lincs

South Holland District Council hereby give notice
that permission has been granted (or equiv)
on the following condition(s):

1. Conditions referred to in your letter of 7 September 1994.

19-SEP-94 AD check... 19/9....

Authorised to issue (inc Delegation).....