Town and Country Planning Act 1990 Form P2

Planning Permission

Name and address of applicant

Midwest Polychem Ltd
Midwest Business Park
Hurn Road
Holbeach
PE12 8JB

Name and address of agent (if any)

Simmonds Planning Ltd
Mercury House
Willoughton Drive
Foxby Lane
Gainsborough
DN211DY

Part I - Particulars of application

Date of application:
6 July 2021

Application No.
H09-0872-21
LCC Ref. No.
PL/0091/21

Particulars and location of development:

To change the use of existing buildings to a plastics processing facility and to construct three additional buildings at Laurel Lodge Farm, Hurn Road, Holbeach Hurn

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 retained and operated in accordance with the following documents and drawings, unless modified by the conditions attached to this decision notice or details subsequently approved pursuant to those conditions:

Date: 3 November 2021

N McBride

County Offices, Newland,
Lincoln LN1 1YL

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.

Documents

- Planning Application Form (received 30 July 2021)
- Simmonds Planning Ltd 'Design and Access Statement' (received 26 July 2021);
- Document Ref: LLF-DOC-3000.F01.00 – 'Sustainable Drainage Statement' amended 13 October 2021;
- Document Ref: LLF-FRA-0001.F01.01 – 'Flood Risk Assessment and Additional Plans' (received 26 July 2021 and 30 July 2021);
- Surface 'Ecological Impact Assessment Report' (received 7 October 2021)

Drawings and Plans

- Drawing No. 2167/MJ/001 Rev D – 'Proposed site plan' (received 04 August 2021);
- Drawing No. 2167/MJ/009 Rev B – 'Site location plan' (received 5 August 2021);
- Drawing No. 2167/MJ/011 – 'Proposed unit' (received 26 July 2021);
- Drawing No. 2167/MJ/012 – 'Proposed extension elevations' (received 4 August 2021);
- Drawing No. 2167/OG/002 Rev A – 'Unit 1 Elevations' (received 5 August 2021);
- Drawing No. 2167/OG/003 Rev A – 'Unit 1 Floor Plans' (received 5 August 2021);
- Drawing No. 2167/OG/004 – 'Unit 2 - 20,000SF - Elevations' (received 20 July 2021);
- Drawing No. 2167/OG/005 – 'Unit 2 - 20,000SF – Floor Plans' (received 20 July 2021);
- Drawing No. 2167/OG/006 – 'Unit 3 - 7500sqft Unit – Floor Plan' (received 20 July 2021);
- Drawing No. 2167/OG/007 – 'Unit 3 - 7500sqft Unit - Elev As Prop' (received 20 July 2021);
- Drawing No. 1171-3000 Rev A – 'Drainage Strategy' (received 13 October 2021);
- Drawing No. LTP/4669/P1/01.01 – 'Preliminary Design – Highways Accesses' (received 13 July 2021); and
- Drawing No. 1304/LLF 01 – 'LANDSCAPE MASTERPLAN' (received 16 September 2021).

Permitted Tonnages and Waste Type

2. No more than 36,000 tonnes of baled, plastic waste shall be brought to the site per calendar year. The weight of all plastic waste, brought to the site, shall be recorded by the operator, and retained for a least two years and the records shall be made available, within five working days, at the written request of the Waste Planning Authority.

Reasons: For the avoidance of doubt as to the nature of the development hereby permitted and to ensure development is carried out in accordance with the approved application details.

3. No waste materials or finished products shall be outside the buildings at any time.

Reason: To protect the amenity of the area.

Highways and Sustainable Transport

4. No waste shall be brought to the site, or further building construction take place at the site until the HGV exit onto the A17 illustrated in Drawing No. LTP/4669/P1/01.01 – 'Preliminary Design – Highways Accesses' has been constructed to the agreed specification of the Highway Authority.

Reason: In the interest of amenity and highway safety. See informative ii) Section 184 of the Highways Act.

Surface and Foul Drainage

5. No waste shall be brought to the site, or further building construction take place at the site until a surface and wash-water management scheme for the site has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include details of all infrastructure to contain, recover and discharge water arising at the site from buildings, hard surfaces, and processes. The approved scheme shall be implemented in full and be retained and maintained for the duration of the development.

Reason: To ensure the permitted development is adequately drained without increasing surface water flood risk to the development site and neighbouring land and property. See informative iii) S106 of the Water Industry Act.

6. No waste shall be brought to the site, or further building construction take place at the site until a foul water drainage scheme has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall include a feasible drainage strategy detailing the discharge solution including development size, proposed discharge rate (should a pumped connection be required with a minimum pumped discharge rate is 3.8l/s), connecting manhole discharge location and a feasible mitigation strategy. The approved scheme shall be implemented in full and be retained and maintained for the duration of the development.

Reason: To ensure that there are no adverse impacts arising from surface and foul water discharges. See informative iii) S106 of the Water Industry Act.

Landscaping Planting

7. In the first available planting season following the date of this decision all native hedging and native tree planting around the perimeter of the site (as identified on Drawing No. LLF 01 – 'Landscape Masterplan') shall be carried out in accordance with the approved details and thereafter maintained.

8. All remaining landscape planting including native shrub, ornamental shrub, tree planting and meadow planting within the site as identified on Drawing No. LLF 01 – 'Landscape Masterplan' shall be implemented in full in the first planting season following completion of the construction of the new buildings approved as part of the development hereby permitted (i.e. Units 1, 2 and 3 and Extension).

9. All retained and planted trees, hedges and shrubs shall be maintained in accordance with the details identified on Drawing No. LLF 01 – 'Landscape Masterplan' and any loses due to damage, death and/or disease within five years of the date of this decision shall be replaced in the next available planting season.

Reason: To ensure that visual impacts of the development are minimised and to ensure the successful establishment of the landscape planting.

Ecological Enhancement

10. No further building construction shall take place at the site until a scheme for the provision of bat (2 No) and bird boxes (3 No) within the site has been submitted to and approved in writing by the Waste Planning Authority the scheme shall include type, construction materials and a plan identifying the locations to erect the boxes. The scheme shall be implemented in full within six months of approval and shall be retained for the duration of the development

Reason: To provide biodiversity enhancement to the site.

Hours of Work and Traffic Management

11. The development hereby permitted, including the loading, and unloading of HCVs shall only be carried out between 0600 and 1800 Mondays to Saturdays. No operations shall take place on Sundays, Public and Bank Holidays.

12. All loading and unloading of lorries shall be undertaken at the roller shutter doors located to the northeast elevation of the existing building as illustrated in Drawing Ref: 2167/MJ/012 – Proposed extension elevations and no other roller shutter doors shall be used for this purpose.

13. Prior to the occupation or bringing into operational use any of the additional buildings approved and to be constructed as part of the development hereby permitted (i.e. Units 1, 2 3 or the Extension as shown on Drawing No. 2167/MJ/001 Rev D 'Proposed site plan') details relating to the provision of electric vehicle recharge points and covered cycle storage facilities within the site shall first have been submitted and approved in writing by the Waste Planning Authority. The scheme shall include a plan of the site identifying the location and number of cycle storage hoops/spaces to be provided and the location of all charging points and parking spaces dedicated to electric vehicles. The number of electric vehicles charging points shall be based on a minimum of one charging point per 50 parking spaces or part thereof. The cycle storage, electric vehicle charging points and parking spaces shall be installed and provided within one month of the written approval of the Waste Planning Authority and thereafter retained, maintained and be available for use whilst ever the development and use hereby permitted subsists.

Reason: To protect the amenity of the area and in the interest of highway safety and to provide sustainable transport options.

Lighting

14. No new external lighting shall be installed on site unless a scheme of external lighting has first been submitted to and approved in writing by the Waste Planning Authority. For avoidance of doubt the submitted scheme shall include specification of lighting, the intensity of illumination and predicted lighting contours. Any new external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

Reason: To ensure that the effects of lighting do not have an adverse impact upon local amenity.

Informative

Attention is drawn to:

(i) Environment Agency letter ref: AN/2021/132188/01-L01 dated 25 August 2021

(ii) Highways and Lead Flood Authority letter dated 13 October 2021

(iii) Anglian Water Site Reference: 180000/1/0131517 letter dated 22 September 2021

(iv) Lincolnshire Police letter dated 17 August 2021

(v) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application, seeking further information to address issues identified and enhancements to the proposal and processed the application efficiently 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 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.

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Lincolnshire County Council
Planning
Lancaster House
36 Orchard Street
Lincoln
LN1 1XX

Our ref: AN/2021/132188/01-L01
Your ref: PL/0091/21

Date: 25 August 2021

FAO Felicity Webber

Dear Felicity

To change the use of existing buildings to a plastics processing facility and to construct three additional buildings

Thank you for consulting us on the above application, on 18 August 2021.

Environment Agency position
We have no objection to the application as submitted.

The site is within Flood Zone 3 of the Flood Map for Planning. The submitted flood risk assessment is satisfactory and we support its recommendations to incorporate flood resistance/resilience measures. We note the availability of areas at first floor that could serve as a safe refuge in case of extreme flooding.

Please note that our advice covers the risk of flooding from fluvial and tidal sources only.

Advice to local planning authority and applicant
Environmental permitting
This development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12. Based on the information submitted with the planning application, we have not identified any major permitting concerns.

In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply, more information on exempt activities can be found here: https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits

The applicant is advised to contact our National Permitting Service using the following link: https://www.gov.uk/guidance/get-advice-before-you-apply-for-an-environmental-permit.

Advice to the applicant
Duty of care
The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes. The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here:
https://www.gov.uk//uploads/system/uploads/attachment_data///waste-duty-care-code-practice-2016.pdf

If you need to register as a carrier of waste, please follow the instructions here:
https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales

If you require any local advice or guidance please contact your local Environment Agency office: mailto:enquiries@environment-agency.gov.uk

Waste hierarchy
The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf

Site waste management plans
These are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice.

Circular economy
The circular economy is a concept designed to keep materials in use as long as possible, thus promoting resource efficient practice and deriving economic benefits. Adherence to the waste hierarchy and adoption of best practice in relation to site waste management planning will help you deliver against circular economy objectives.

Observance of the waste hierarchy objectives and principles of the circular economy will depend upon the selection of the most sustainable option at every phase of a development project, from reduction through design and architecture, to the selection of the most efficient recovery process for the treatment and use of waste.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Nicola Farr
Sustainable Places - Planning Specialist

Direct dial 02030 255023
Direct e-mail nicola.farr@environment-agency.gov.uk

End

Warren Peppard
Head of Development Management
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
HighwaysSUDsSupport@lincolnshire.gov.uk

To: Lincolnshire County Council Application Ref: PL/0091/21

Proposal: **To change the use of existing buildings to a plastics processing facility and to construct three additional buildings**

Location: **Laurel Lodge Farm, Hurn Road, Holbeach Hurn**

With reference to the above application received 16 August 2021

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Requests that any permission given by the Local Planning Authority shall include the conditions below.

CONDITIONS (INCLUDING REASONS)

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb or contact vehiclecrossings@lincolnshire.gov.uk

Prior to the commencement of operation of the development hereby permitted, a surface water drainage system for the site shall be constructed in accordance with details that shall first have been approved in writing by the Waste Planning Authority.

Reason; To ensure the permitted development is adequately drained without increasing surface water flood risk to the development site and neighbouring land and property.

Note; The amended submitted surface water drainage drawing intentionally omits to specify the point of discharge for the site's surface water run-off. The Lead Local Flood Authority is content, in this instance, for the final decision on this point of detail to be covered by a Condition so that options for managing the surface water run-off, to allow its storage and re-use in the site's processing operations, can be explored, safe in the knowledge that there is a watercourse on the boundary of the site that can provide suitable point of discharge.

Case Officer: Date: 13 October 2021

Jon Sharpe

for Warren Peppard
Head of Development Management

Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 07929 786955 or email planningliaison@anglianwater.co.uk.

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AW Site Reference:	180000/1/0131517
Local Planning Authority:	South Holland District
Site:	Laurel Lodge Farm, Hurn Road, Holbeach Hurn
Proposal:	To change the use of existing buildings to a plastics processing facility and to construct three additional buildings
Planning application:	PL/0091/21

Prepared by: Pre-Development Team

Date: 22 September 2021

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Holbeach Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: Drainage Strategy and FRA Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. (a full assessment cannot be made due to lack of information, the applicant has not identified a discharge rate) We therefore request a condition requiring phasing plan and/or on-site drainage strategy (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water. As such, we are unable to provide comments on the suitability of the surface water management. The applicant and the Local Planning Authority should seek the advice of the Lead Local Flood Authority and the Internal Drainage Board if applicable. The Environment Agency should be also consulted if the drainage system directly or indirectly involves the discharge of water into a Main River.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Used Water Sewerage Network (Section 3)

We have no objection subject to the following condition: Condition Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme. Reason To prevent environmental and amenity problems arising from flooding

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website http://www.anglianwater.co.uk/developers/pre-development.aspx

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Foul water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
  - Development size
  - Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)
  - Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (if required)

LINCOLNSHIRE POLICE

POLICE HEADQUARTERS
PO Box 999
LINCOLN LN5 7PH
Fax: (01522) 558128
DDI: (01522) 558292
email
john.manuel@lincs.pnn.police.uk
Tel: 01522 558292
Mobile: 0757 0099424

Dated: 17th August 2021

Your Ref: County Matter Approval Application PL/0091/21

Elaine Wrath
Technical Support Team Leader
Lancaster House
Orchard Street
Lincoln, LN1 1XX

Dear Elaine,

LCC REFERENCE: PL/0091/21
DEVELOPMENT: TO CHANGE THE USE OF EXISTING BUILDINGS TO A PLASTICS PROCESSING FACILITY AND TO CONSTRUCT THREE ADDITIONAL BUILDINGS

LOCATION: LAUREL LODGE FARM, HURN ROAD, HOLBEACH HURN

Lincolnshire Police do not have any objections to this application.

Please do not hesitate to contact me should you need further information or clarification.

Crime prevention advice is given free without the intention of creating a contract. Neither the Home Office nor the Police Service takes any legal responsibility for the advice given. However, if the advice is implemented it will reduce the opportunity for crimes to be committed.

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPR Dip Bus.
Force Designing Out Crime Officer