
From: Dev_PlanningSupport <Dev_PlanningSupport@lincolnshire.gov.uk>
Sent: 22 November 2024 15:29
To: _planningadvice
Subject: Screening Opinion Decision Notice PL/0084/24 - AWAITING RESPONSE FROM JESS HILL
Attachments: PL_0084_24 Screening Opinion.pdf
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Dear Sir/Madam

SCREENING OPINION REFERENCE NUMBER: PL/0084/24

PLANNING REFERENCE: PL/0084/24

DEVELOPMENT: FOR OUTDOOR STORAGE OF MATERIALS, ADDITIONAL BUILDING AND STRUCTURES AND EXTERNAL GENERATORS (RETROSPECTIVE)

LOCATION: LAUREL LODGE FARM, HURN ROAD, HOLBEACH HURN

Please find attached a copy of the County Council's Screening Opinion Decision Notice in connection with the above application which should be placed on your statutory register.

Yours faithfully

Technical Support Team

Planning Services

Lincolnshire County Council

County Offices, Newland, Lincoln LN1 1YL

Tel: 01522 782070

Website: www.lincolnshire.gov.uk



SCREENING OPINION

Name and address of applicant

Midwest Polychem
Midwest Business Park Hurn Road
Holbeach Hurn
Spalding
Lincolnshire
PE12 8JB

Name and address of agent (if any)

Max Design Consultancy
Max Design
Armstrong House
First Avenue
Doncaster
DN9 3GA

Part I - Particulars of request

Date of request:

16 October 2024

LCC Ref No:

PL/0084/24

Description of development:

For outdoor storage of materials, additional building and structures and external generators (retrospective)

Location:

Laurel Lodge Farm, Hurn Road, Holbeach Hurn

Type of review (ROMP development only):

Part 2 - Particulars of decision

The Lincolnshire County Council hereby give notice in pursuance of the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 that in its view the development referred to in Part I hereof is Schedule 2 development but that this is unlikely to have significant effects on the Environment. **The Council has therefore adopted the screening opinion that the development is not EIA development** having regard to the relevant selection criteria set out in Schedule 3 of the Regulations and the advice in the Department for Levelling Up, Housing and Communities Planning Practice Guidance. The Council's reasons for reaching this conclusion are set out in the statement overleaf.

Date: 22 November 2024

Planning
Lincolnshire County Council
County Offices, Newland, Lincoln LN1 1YL

N McBride

Head of Planning

Statement of Reasons

The proposed development is considered to fall within the scope of the description of development within Category 11(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the "EIA Regulations") as it is:

- An installation that would be used for the disposal of wastes (Category 11b).
- Development that would result in a change to, or extension of, a development falling within the above category that is already authorised, executed or in the process of being executed (Category 13b).

The application site lies within 50 metres of controlled waters and therefore within the applicable criteria and thresholds of category 11(b) being (iii) the installation is to be sited within 100 metres of any controlled waters as identified in the EIA Regulations.

The Planning Practice guidance 'Environmental Impact Assessment' (PPG) expands upon the EIA Regulations, providing further guidance to help assess whether or not a development is likely to give rise to significant effects, and therefore if EIA is required. The PPG contains further indicative criteria and advises that EIA is more likely where Category 11b results in:

- New capacity, to hold more than 50,000 tonnes per year or to hold waste on 10 hectares or more.

In this instance, the proposed development seeks to introduce outdoor storage, an additional building and structures and external generators within an existing waste facility. The footprint of the proposal would be approximately 0.28 which lies wholly within the existing site which is 3.48ha in size. It is proposed to increase the waste capacity by an additional 32,000 tonnes to 68,000 tonnes per annum (an increase of 88.8%). The operations and impacts would be similar in nature to those associated with the existing use of the wider site. Impacts, on amenity and management of drainage, would be appropriately mitigated through the existing environmental controls.

Having taken into account the guidance contained in Schedules 2 and 3 of the EIA Regulations and the PPG, the Waste Planning Authority does not consider the proposed development to be likely to significantly affect controlled waters, or result in complex or hazardous effects, by virtue of factors such as its size, nature or location and as such an EIA is not required.

Informative

'ROMP development means development which has yet to be carried out and which is authorised by a planning permission in respect of which a ROMP application has been or is to be made.

The term 'ROMP application' is defined in the Regulations as an application to a relevant mineral planning authority to determine the conditions to which a planning permission is to be subject under paragraph:-

- 2(2) of Schedule 2 to the 1991 Act (registration of old mining permissions);
- 9(1) of Schedule 13 to the 1995 Act (review of old mineral planning permissions); or
- 6(1) of Schedule 14 to the 1995 Act (periodic review of mineral planning permissions).

Environmental Impact Assessment (EIA) refers to the whole process by which environmental information is collected, published and taken into account in reaching a decision on a relevant planning application. Applications for planning permission for which EIA is required are referred to in the Regulations as 'EIA applications'.

Where EIA is required, information must be provided by the developer in an Environmental Statement (ES). This document (or series of documents) must contain the information specified by regulation 2(1) and in Schedule 4 to the Regulations. In certain cases, regulation 15 allows developers to obtain a formal opinion from the relevant planning authority on what should be included in the Environmental Statement ('a scoping opinion').

Right of Appeal

Where the relevant planning authority adopts a screening opinion that EIA is required, the developer may request a screening direction from the Secretary of State. Requests must be made in accordance with the provisions set out in the Regulations. (See Regulations 5 and 6 or, where appropriate, Regulation 7).