Gedney, Oliver

From: Dev_PlanningSupport <Dev_PlanningSupport@lincolnshire.gov.uk>
Sent: 30 September 2020 09:00
To: _planningadvice
Subject: Planning Application Decision Notification
Attachments: H16-0546-20 Decision Notice.pdf

This message originated from outside your organization

Dear Sir/Madam

PLANNING APPLICATION NUMBER: H16-0546-20 (PL/0061/20)
DEVELOPMENT: FOR CHANGE OF USE (PART RETROSPECTIVE) TO RETAIN A MATERIALS RECOVERY FACILITY
LOCATION: 1 - 3 ASHTREE LANE, OFF STUMPS LANE, SPALDING

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
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Town and Country Planning Act 1990 Form P2

Planning Permission

Name and address of applicant

GH Myers Ltd
Poplar farm
Austendyke
Spalding
PE12 6BZ

Name and address of agent (if any)

3D Planning Ltd
27 Svenskaby
Orton Wistow
Peterborough
PE2 6YZ

Part I - Particulars of application

Date of application:
2 June 2020

Application No.
H16-0546-20
LCC Ref. No.
PL/0061/20

Particulars and location of development:

For change of use (part retrospective) to retain a materials recovery facility at 1 - 3 Ashtree Lane, off Stumps Lane, Spalding

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 carried out in accordance with the following documents and plans except where modified by conditions attached to this notice or details subsequently approved pursuant to those details. The approve documents and plans are as follows:

   - Planning Application Form and Supporting Design and Access Statement (received 4 June 2020);
   - Drawing No. 350SK03- Location Plan (received 4 June 2020);
   - Drawing No. 350SK05- REVISED Building Elevations (received 11 June 2020);

Date: 29 September 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.

- Drawing No. 350SK06 – Existing Site Plan with Turning Circles (received 4 June 2020).

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

2. The waste types permitted to be imported, stored, sorted and exported shall be restricted to inert and non-hazardous cardboard and plastic wastes only.

Reason: In order to ensure the development would not be detrimental to the general amenity of the surrounding area.

3. Except as may otherwise be agreed in writing by the Waste Planning Authority all activities and operations associated with the development hereby permitted shall only be carried out between the following hours:

0700 to 1700 hours Monday to Sunday.

Reason: In order to ensure the development would not be detrimental to the general amenity of the surrounding area.

4. At all times when the premises are in use, sufficient space shall be maintained to allow for the parking/turning/manoeuvring on site of all vehicles as set out in Drawing No. 350SK06 – Existing Site Plan with Turning Circles (received 4 June 2020).

Reason: To ensure unobstructed access and vehicle manoeuvrability within the site.

5. All stockpiles (unprocessed and processed) shall only be stored within the concreted area and shall not exceed a height of 2m.

Reason: In order to ensure the development would not be detrimental to the general amenity of the surrounding area.

6. No waste materials shall be processed, sorted or separated other than within the storage units 1, 2 and 3 (and concrete hardstanding area) as shown Drawing No. 350SK06 – Existing Site Plan with Turning Circles (received 4 June 2020).

Reason: In order to ensure the development would not be detrimental to the general amenity of the surrounding area.

7. No waste materials shall be stored other than on the concrete hardstanding area and Units 1, 2 and 3 as shown Drawing No. 350SK06 – Existing Site Plan with Turning Circles (received 4 June 2020).

Reason: In order to ensure the development would not be detrimental to the general amenity of the surrounding area.

Informatives

Attention is drawn to:

i. Environment Agency - environmental permitting regulations. This development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12. 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 Callum Chapman (Environment Officer) at Callum. Chapman@environment-agency.gov.uk to discuss the issues arising from the permit application process.

ii. Internal Drainage Board - the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.

iii. In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by processed 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 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.