

Planning Permission

Name and address of applicant

Silver Skips Lincolnshire Ltd
c/o Robert Doughty Consultancy Ltd
32 High Street
Helpringham
Sleaford
NG34 0RA

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:
18 December 2020

Application No.
B/21/0016
LCC Ref. No.
PL/0142/20

Particulars and location of development:

To vary conditions 1, 2, 4, 6, 8 and 10 of planning permission B/15/0195 to allow for the formation of a concrete area and changes to the arrangements in the yard at Silver Skips Lincolnshire Ltd, Nursery Road, Riverside Industrial Estate, Boston

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. This permission (being granted under Section 73A of the Town and Country Planning Act 1990, as amended) has effect from the date of this decision notice as the development subject of planning permission B15/0195 has been implemented and therefore commenced.

Reason: To comply with Section 73A of The Town and Country Planning Act amended).

Date: 29 March 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.

2. Before the screener and green waste storage hereby permitted is first brought into use the proposed boundary treatment as shown on Drawing No. 924-4_PL_SP01 received 19 December 2020 shall be erected and once installed shall thereafter be retained and maintained whilst ever the permitted waste management use of the site subsists.

Reason: To provide enhanced noise and visual screening along the rear boundary of the site.

3. There shall be no more than 150 tonnes of waste material delivered to the site in any one day. A record shall be kept of all lorry movements to the site and kept at the site and made available for inspection by the Waste Planning Authority on request during the permitted working hours.

Reason: To maintain planning control over the site.

4. With the exception of the operation of the inert screener and the storage of inert wastes, green waste, baled products and empty skips, as shown on Drawing No. 924-4_PL_SP01 received 19 December 2020, all activities, storage and processing of waste materials associated with this planning permission shall take place within the permitted Waste Transfer Building.

Reason: To maintain planning control over the site and ensure the development would not be detrimental to the general amenity of the surrounding area.

5. The operation of the waste transfer station as described in this application shall only be carried out between the hours of 07:00 and 19:00 Monday to Friday and 07:00 to 16:00 Saturday and at no time on Sundays or Public Holidays, unless otherwise agreed in writing with the Waste Planning Authority.

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

6. Empty skips shall only be stored outside the building within those areas as shown on Drawing No. 924-4_PL_SP01 (received 19 December 2020) and shall not be stacked above a height of 3m. All stockpiles of baled wastes and inert materials (unprocessed and processed) shall also only be stored in those locations as shown on Drawing No. 924-4_PL_SP01 (received 19 December 2020) and shall not exceed a height of 2m.

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

7. The site shall only be used for the importation, storing, sorting process and export of waste in connection with the transfer of inert and non-hazardous household, commercial and construction wastes and green waste unless otherwise agreed in writing by the Waste Planning Authority.

Reason: To ensure the development is carried out in line with the approved details.

8. The Flood Evacuation Plan shall continue to be implemented in accordance with the details previously submitted and approved by the Waste Planning Authority as referenced and set out in the decision letter dated 11 May 2011 (originally approved pursuant to Condition 8 of planning permission B/0423/09).

Reason: To ensure the business is suitably prepared in the event of a flooding event.

9. With the exception of the inert screener (as detailed within the RDC Ltd letter received 1 May 2015) no mechanical sorting of waste may take place within the building or anywhere on the application site.

Reason: To maintain planning control over the site and ensure the development would not be detrimental to the general amenity of the surrounding area.

10. The concrete apron to the front of the building shall be kept clear at all times.

Reason: To maintain suitable manoeuvring space for vehicles.

Informative

Attention is drawn to:

- (i) 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 and seeking further information to address issues identified to the proposal to process 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.