

Planning Permission

Name and address of applicant

Port of Boston Ltd
Port of Boston
Boston
PE21 6BN

Name and address of agent (if any)

Chris Dent Architect
5 North Avenue
Exeter
EX1 2DU

Part I - Particulars of application

Date of application:
28 August 2020

Application No.
B/20/0350
LCC Ref. No.
PL/0100/20

Particulars and location of development:

For the change of use from waste electrical and electronic equipment (WEEE) storage to general port storage and incinerator ash bagging at The Dock, 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. The development hereby permitted shall be commenced within three years of the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of such commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Date: 9 December 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.**

2. 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 approved documents and plans are as follows:
- Planning Application Form and Design and Access Statement with Appendices (received 2 September 2020)
 - Flood Warning and Evacuation Plan (received 29 October 2020)
 - Location Plan J 467/01 (received 2 September 2020)
 - Email from agent (received 02 October 2020)

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

3. No more than 7,000 tonnes of materials shall be stored at any one time. All materials to be brought to the site shall be weighed at a weighbridge within the Port. Weighbridge records shall be retained for at least two years and available for inspection by the Waste Planning Authority on request.

Reason: To ensure that the amount of APCr stored within the building at any one time is kept within the range put forward by the applicant.

4. All operations and activities associated with the transfer, bagging and storage of the Air Pollution Control Residue (APCR) shall take place inside the buildings only. No wastes or sealed bags of APCr shall be stored outside of the building at any time.
5. The roller shutter door facing the properties to the north of Building 14 shall be closed at all times during the transfer and bagging of APCr and shall only be open when HGVs enter the building.
6. All vehicles, plant, power driven equipment and machinery employed on the site shall be fitted with effective silencers and maintained strictly in accordance with the manufacturer's recommendations.
7. All site operations and activities authorised or required in association with this development (excluding heavy goods vehicular traffic) shall only be carried out between 0700 and 1900 hours Monday to Saturday with no operations or activities being carried out on Sundays, Public and Bank Holidays except with the prior written agreement of the Waste Planning Authority.

Heavy Goods Vehicles associated with the delivery and dispatch of goods and products shall not enter or leave the site except between 0800 and 1800 hours Monday to Sunday except with the prior written agreement of the Waste Planning Authority.

8. The access fronting Skirbeck Road shall remain closed at all times and shall not be used by any vehicular traffic connected with the development hereby permitted.

Reasons: In order to ensure any impacts such as noise or disturbance would not be detrimental to the general amenity of the surrounding area and local residents living closest to the site.

Informative

Attention is drawn to:

In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by seeking further information to address issues identified and 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.