

Planning Permission

Name and address of applicant

Mr A Duguid
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Bishop Norton
Market Rasen
Lincolnshire
LN8 2AT

Name and address of agent (if any)

Mr G Perry
G J Perry Planning Consultant
62 Carter Street
Uttoxeter
Staffordshire
ST14 8EU

Part I - Particulars of application

Date of application:
15 August 2016

Application No.
134934
LCC Ref. No.
W127/134934/16

Particulars and location of development:

To vary condition 3 of planning permission W127/133701/15 - to increase permitted tonnages from 40,000 tonnes per annum to 90,000 tonnes per annum at Anaerobic Digester Plant, Hemswell Cliff Industrial Estate, Hemswell Cliff

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 W127/133701/15 has been implemented and therefore commenced.

Date 7 November 2016

Unit 4, Witham Park House
Waterside South, Lincoln

Planning Manager
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 only be carried out in accordance with the following documents and plans, unless otherwise agreed in writing with the Waste Planning Authority (WPA), or where modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions. The approved documents and plans are as follows:
 - Planning Application Form, Design and Access Statement, Justification Statement, Draft Odour Management Plan and Flood Risk Assessment (date stamped received 6 July 2012) as supplemented by the information contained in the emails from G J Perry dated 1 November 2012, 10 January 2012 and 12 January 2012 and Planning Application Form (date stamped received 30 October 2015) and the following drawings and documents:
 - Written Statements entitled "Assessment of Impact of Minor Alterations for the Proposed Anaerobic Digester at Hemswell Cliff, Lincolnshire, DN21 5TU" (date stamped received 19 September 2014 and 30 October 2015)
 - Drawing No. P12-TBHC-002: Existing Site Layout (date stamped 23 May 2013)
 - Drawing No. 996-141 Revision A: Diagram Plan View (date stamped 30 October 2015)
 - Drawing No. 2015-001-GA-001 Revision 15: Proposed Site Plan (date stamped 30 October 2015).
3. The total quantity of feedstock materials handled by the development shall not exceed 90,000 tonnes per annum. All materials brought to the site shall be weighed at a weighbridge and weighbridge records shall be retained for at least two years and be available for inspection by the Waste Planning Authority upon request.
4. The external wall cladding of the technical/reception building to be constructed as part of the development hereby permitted shall be 'dark olive green' in colour and shall thereafter be maintained in a good condition for the duration that the development hereby permitted subsists.
5. Except in emergencies to maintain safe working conditions (which shall be notified to the Waste Planning Authority as soon as practicable) no vehicles associated with the delivery and input of feedstock materials and export of final digestate shall take place except between 06:00 and 18:00 hours Monday to Saturday.

The anaerobic digestion plant is permitted to operate continuously 24 hours a day.
6. All laden vehicles carrying feedstocks/waste materials entering or leaving the site shall be sheeted or netted or carry their load in an otherwise enclosed load space.
7. Adequate space for the parking, turning and manoeuvring of vehicles shall be available for use at all times whilst ever the development hereby permitted subsists.
8. All vehicles, plant and machinery operated at the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be affected within a reasonable period, the equipment affected should be taken out of service.

9. The roller shutter doors and windows of all buildings used to carry operations associated with the handling, processing and storage of wastes shall be kept closed at all times except when required to be opened in connection with the movement of mobile plant and the delivery and dispatch and transferral of materials to and from the buildings.
10. The air ventilation and odour control systems to be employed as part of this development shall be implemented and carried out in accordance with the details and systems which were previously submitted and approved by the Waste Planning Authority as set out in the decision notice dated 28 March 2014 (originally approved pursuant to condition 10 of planning permission W127/130114/13).
11. No wastes or feedstock materials to be used or processed by the development hereby permitted shall be stored outside of the technical/ reception building or the digestion tanks.
12. Surface waters from the site shall be managed in accordance with the details and systems which were previously submitted and approved by the Waste Planning Authority as set out in the decision notice dated 28 March 2014 (originally approved pursuant to condition 12 of planning permission W127/130114/13).
13. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
14. The fire hydrant previously approved by the Waste Planning Authority as set out in the decision notice dated 3 March 2015 (originally approved pursuant to condition 15 of planning permission W127/131971/14) shall be retained continue to be available for use by this development.
15. The means of connection to the National Grid shall be by underground cable.
16. A noise monitoring scheme shall be implemented and carried out as part of the development in accordance with the details which were previously submitted and approved by the Waste Planning Authority as set out in the decision notice dated 27 May 2014 (originally approved pursuant to condition 17 of planning permission W127/130114/13).

The reasons for the conditions are:-

1. To comply with Section 73A of The Town and Country Planning Act 1990 (as amended).

2. To define the permission and to ensure the development is implemented in all respects in accordance with the approved details.
3. To correspond with the waste feedstock materials and quantities for which planning permission was applied for.
4. To minimise the impact of the development on the visual appearance and character of the surrounding area.
5. In the interests of limiting the effects of the development on local amenity and to define the permitted hours of operation.

6 & 7

To ensure that the means of access to the site and vehicular circulation and parking spaces are provided in the interests of highways safety.

8 – 11

In order to ensure that odour emissions arising from the development are in line with the levels cited in the application and to protect the residential amenity of local residents.

12 – 13

To ensure if unsuspected contamination is encountered during the development it is dealt with in an appropriate manner and to prevent the risk of pollution of ground waters and ensure the provision of a satisfactory means of surface water disposal is secured.

14. In the interests of fire safety and amenity of the area.
15. In the interests of visual amenity.
16. To protect the amenity of local residents living close 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 processing the application efficiently so as to prevent any unnecessary delay. In determining this application the Waste Planning Authority has assessed the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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, he 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 Government's website at <https://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 5000). The Secretary of State has a power to allow a longer period for the giving notice of appeal but he 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 him 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. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him. Please note, only the applicant possesses the right of appeal.
2. 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, he 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.
3. 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 him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.