

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

(pursuant to an outline or full application)



APPLICATION NO: WD/2014/1291

Applicant: Merlin Renewables

Address/Agent: Mr A Presslee
Cornerstone Planning Limited
Ridgeview Barn
Church Loke
Roughton
NORWICH
NR11 8SZ

North Lincolnshire Council hereby give notice that the application received on 14/11/2014 to:

vary condition 17 on previously approved application WD/2012/1336 dated 01/03/2013 to 'Unless otherwise agreed in writing with the local planning authority, material shall be imported to or exported from the site only between the hours of 7am and 7pm on any day.' at Merlin Renewables Ltd, Redbourne Road, Hibaldstow, DN20 9NN

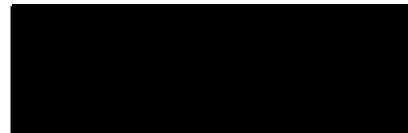
has been considered and that permission for this development has been **REFUSED** for the following reasons:

1.

The prevention of deliveries to the site on Sundays and Bank Holidays is considered necessary in order to safeguard the amenities of the area and occupiers of nearby property and to comply with policy DS1 of the North Lincolnshire Local Plan 2003.

Dated: 11 February 2015

Signed:



Phil Wallis
Head of Development Management

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

RIGHTS OF APPEAL ETC

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 Planning Inspectorate, in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice*. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 304A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

***Householder Application:** If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

The Planning Inspectorate has power to allow a longer period for the giving of a 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 notice of appeal. The Planning Inspectorate 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 provision 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.

2. If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Planning Inspectorate, 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 the carrying out of any development which has been or would be permitted, he may serve on the council in whose area 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 Planning Inspectorate 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.
4. The Planning Inspectorate have introduced an online appeals service that you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of the appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only supply information, including personal information belonging to you, that you are happy will be made available in this way. If you supply personal information belonging to someone else, please ensure that you have their permission. More detailed information about [data protection and privacy matters](#) is available in the Planning Portal.

When making your appeal, if requesting your forms from the Planning Inspectorate it is important that you ask for the correct appeal form.

Either a:

Planning Appeal Form (full or outline applications)

Householder Planning Appeal Form

Listed Building Consent or Conservation Area Consent Appeal Form

Certificate of Lawful Use or Development Appeal Form

Please note: *only the applicant possesses the right of appeal.*