

TOWN AND COUNTRY PLANNING ACT 1990

FULL PLANNING PERMISSION



APPLICATION NO: PA/2008/1338

Applicant: Mr P Ellis

Address/Agent: Keadby Bridge Filling Station
Station Road
Gunness
SCUNTHORPE
DN15 8SX

North Lincolnshire Council hereby give notice that the application received on 03/11/2008 to:

amend the size of an MOT station previously approved under application PA/2007/1383 and replace an existing garage with a workshop at Keadby Bridge Filling Station, Station Road, Gunness

has been considered and that permission for this development in accordance with the plans and written particulars submitted has been granted subject to the following conditions and reasons:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development shall be carried out in accordance with the amended details received by the local planning authority on 11 December 2008.

Reason

To define the terms of the permission and to help ensure the development is in keeping with its surroundings in accordance with policy DS5 of the North Lincolnshire Local Plan.

3.

Development shall proceed fully in accordance with the mitigation measures (for example, finished floor levels) set out in the approved flood risk assessment, and the applicant shall confirm completion of the approved scheme in writing within one month thereafter.

Reason

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.

4.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy DS7 of the North Lincolnshire Local Plan adopted in 2003]

5.

All MOT testing shall take place within the workshop.

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

The workshop shall not be used outside of the hours of 7.30am to 6pm Monday to Saturday, and not at all on Sundays and Bank Holidays.

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, and consent will only be given for those parts of the site where it can be demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason

To prevent pollution of controlled waters and to comply with policy DS11 of the North Lincolnshire Local Plan.

8.

Piling or any other foundation designs using penetrative methods are not permitted unless the express written consent of the local planning authority is given, and consent will only be given for those parts of the site where it can be demonstrated that there is no resultant unacceptable risk to groundwater.

Reason

To protect groundwater quality in the vicinity of the site and to comply with policy DS11 of the North Lincolnshire Local Plan.

9.

No development shall commence until a scheme for surface water drainage has been submitted to and approved in writing by the local planning authority. The building shall not be brought into use until the scheme is fully implemented and the scheme shall be retained thereafter.

Reason

To protect groundwater quality in the vicinity of the site and to comply with policy DS11 of the North Lincolnshire Local Plan.

Dated: *4th February 2009*. Signed:



M Welton
Head of Planning

This decision (based on the plans and information submitted with and contained in the application) has, where appropriate, been considered against and meets the provisions of the following policy/policies contained in:

1. North Lincolnshire Local Plan: DS1, DS11, RD2, T1, T2, ST3
2. Regional Spatial Strategy for Yorkshire and the Humber: None

WARNING

THIS DOCUMENT DOES NOT CONSTITUTE ANY
APPROVAL UNDER THE BUILDING REGULATIONS

WARNING

1. This is a PLANNING PERMISSION ONLY. It does NOT convey any approval or consent required under any enactment, byelaw, order or regulation other than those referred to in the heading of this notice. It is IMPORTANT that you should read the notes concerning APPEALS below.
2. 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 3/04A, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN .

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.

3. 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.
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 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.