

Town and Country Planning Act 1990

PLANNING PERMISSION

Application no: **06/2015/1046**

Agent:

GF Energy Ltd
17 The Courtyard
Gorse Lane
Coleshill
West Midlands
B46 1JA

Applicant:

GF Energy Ltd
17 The Courtyard
Gorse Lane
Coleshill
West Midlands
B46 1JA

Decision date:

31/05/2016

Received date:

21/12/2015

Development proposed:

Erection of gas fuelled capacity embedded generation plant

At:

Red Scar Industrial Estate Longridge Road Preston

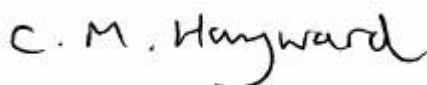
Preston City Council hereby give notice that **PERMISSION HAS BEEN GRANTED** for the carrying out of the above development in accordance with the application plans and documents listed below or as may otherwise be amended following written approval by the Local Planning Authority and subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiry of three years beginning with the date of this permission.
2. The approval relates to drawing numbers:

Location Plan 260/002, 260/004, STD/010, STD/011 Rev B, STD/012 Rev A, STD/013 Rev C, STD/019, STD/021, STD/023, and the details of the Zenith System High Security Fencing received by the Local Planning Authority on 21 December 2015.

Note

For rights of appeal in respect of any conditions attached to the permission see the attached notes.



Director of Development

Planning Department
Preston City Council
Town Hall
Preston
PR1 2RL

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3. If during site preparation or development works contamination is encountered or is suspected in areas where it had not been anticipated, then a scheme for detailed investigation, risk assessment, remediation and verification shall be submitted for the written approval of the Local Planning Authority prior to all but urgent remediation works necessary to secure the area. The remediation scheme shall be carried out in accordance with the approved details.

With regards to ground gas, a programme of re-sampling and assessment shall be undertaken on the development site to characterise the current ground gas conditions and determine if any protection measures are needed for the proposed site use. The results of the assessment shall be submitted to the Local Planning Authority and once approved by the Local Planning Authority shall be fully implemented and completed before any development permitted is occupied.

4. Any facility for the storage or containment of oils or fuels shall be sited on an impervious base and surrounded by an impervious bund. Details of these measures shall be submitted and approved in writing by Local Planning Authority prior to the installation of such storage or containers and shall and be implemented during the course of the development. The minimum volume of the secondary containment provided by the bund should be equivalent to at least 110% of the tank capacity.

The reasons for the conditions are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure that risks from land and ground gas 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 in accordance with the National Planning Policy Framework, and Policy EP7 of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).
4. In the interests of pollution prevention in accordance with Policy EN7 of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).

INFORMATIVE:

C. M. Hayward

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For further details on the decision and the reasons for granting planning permission please see the application report which can be viewed on the Council's website <http://www.preston.gov.uk/planningsearch>

Please be aware that you will need to apply for an Environmental Permit from the Environment Agency as the proposed process by virtue of the aggregated net thermal rating can be classified as a Part A1 process, as defined in Schedule 1 of the Environmental Permitting (England & Wales) Regulations 2010.

Compliance with paragraphs 186 and 187 of the National Planning Policy Framework

The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application (as originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development



C. M. Hayward

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NOTE:

Appeals to the Secretary Of State

Planning Applications

You have the right to appeal against the Local Planning Authority's refusal of planning permission or grant of permission subject to conditions. You may appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. For further information on how to make an appeal please visit the Planning Portal website www.planningportal.gov.uk.

If you want to appeal, then you must do so within six months of the date of the enclosed notice. Please note, only the applicant possesses the right to appeal.

If your application is for a minor commercial development (shop front), you must appeal within 12 weeks.

If your application is for a householder development, you must appeal within 12 weeks.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions which it imposed.

The Secretary of State has the 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction by him.

Purchase Notices

Planning Applications

If either the local planning authority or the Secretary of State for Communities and Local Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the City Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Other Permissions

This notice relates only to the application as described. It does not convey a decision under any other enactment, byelaw, order or regulation. Separate applications may be needed for such other approvals as may be required e.g. Planning Permission, Approval of Reserved Matters, Listed Building Consent, Express Consent to Display Advertisements, Building Regulations, etc.

Please visit the Council's website for further information.

C. M. Hayward