

# PLANNING PERMISSION

**Name and address of Applicant**

QUERCIA LTD  
Head Office  
Aspinall House  
Walker Road  
Walker Office Park  
Guide BB1 2QE

**Name and address of Agent (if any)**

THE ARLEY CONSULTING  
COMPANY LTD  
Chorleian House  
St Thomas Road  
Chorley  
PR7 1JE

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## Part I – Particulars of application

Date of application: **5 January 2015** Application No. **LCC/2015/0002**

Particulars and location of development:

**Construction and use of a new tank for storage of water for fire fighting, with association pump house and concrete foundation Clayton Hall Landfill Site, Dawson Lane, Whittle-Le-Woods, Chorley**

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## Part II – Particulars of Decision

The **Lancashire 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:

### Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

*Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.*

2. The development shall be removed from site and the land restored within six months of the cessation of landfilling operations in accordance with the conditions to this permission.

*Reason: To provide for the completion and progressive restoration of the site within the approved timescale in the interest of local amenities, the visual amenity and to secure the proper restoration of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DC1 of the Chorley Borough Local Plan.*

## Working Programme

3. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 5 January 2015.

b) Submitted Plans:

Drawing no. 08469/55D - Location Plan

Drawing no. 08469/125 - Application Boundary

Drawing no. 11.171/11 - Site Layout - Sprinkler tank

Drawing no. 11.171/12 - Proposed Elevations - Sprinkler Tank

*Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy 17 of the Central Lancashire Adopted Core Strategy and Policy DC1 of the Chorley Local Plan.*

4. The external cladding or finish of the sprinkler tank and pump house shall be coloured moss green (RAL 6005) and maintained in the same colour throughout their presence on the site.

*Reason: To protect the visual amenities of the area and to conform with Policy 17 of the Central Lancashire Adopted Core Strategy.*

5. Restoration shall be carried out in accordance with the details set out in report no. 08469/123 entitled Planning Application LCC/ 2015/0002 - Proposed Water Tank, Pump House and Foundation Slab - Scheme and Programme for Restoration at Clayton Hall Landfill Site, Chorley, Lancashire.

The planting and seeding specified in the report shall be implemented in the first available planting season (the period between 1 October in any one year and 31 March in the following year) following the removal of the sprinkler tank, pump house and hard surfaces and shall thereafter be maintained for a period of five years.

*Reason: To secure the proper restoration of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.*

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**Date: 19 February 2015**

**LANCASHIRE COUNTY COUNCIL**



**STEVE BROWNE  
INTERIM EXECUTIVE DIRECTOR  
FOR THE ENVIRONMENT**

*Note: 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, byelaw, order or regulation.*

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**NOTE:**

**1. Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government and the Regions under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from the Planning Inspectorate, Registry/Scanning Room, 3/05 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- 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 they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

**2. Purchase Notices**

- If either the local planning authority or the Secretary of State for Communities and Local Government and the Regions 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 render the land capable of a 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 District/Borough Council in whose area the land is situated. 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.

- 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 for Communities and Local Government and the Regions 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.

The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.