

TOWN & COUNTRY PLANNING ACT 1971

Town and Country Planning General Regulations 1976 Part II

AUTHORISATION FOR THE CARRYING OUT OF DEVELOPMENT UNDER  
REGULATION 5

PROPOSAL

Planning permission to change the use of existing buildings and erect new buildings for general industrial, warehousing and office use and to use land for open storage.

Former Chemical Works, Flixborough Stather, Flixborough.  
O.S. Sheet Nos. 8614 and 8414

The effective date of the Borough Council's resolution to authorise the carrying out of the development described above is the 2nd June, 1983.

Planning Permission is therefore deemed to have been granted on this date by the Secretary of State for the Environment in respect of this development, subject to the following conditions:-

1. In relation to the erection of new buildings on the site,
  - (a) the approval of the district planning authority is required to the siting, design, external appearance of and the means of access to the buildings before the erection of the buildings is commenced;
  - (b) application for approval of all matters reserved by this permission for approval by the district planning authority must be made not later than the expiration of three years beginning with the date of this notice;
  - (c) the development must be begun not later than whichever is the later of the following dates:-
    - (i) the expiration of five years from the date of this notice;  
or
    - (ii) the expiration of 2 years from the final approval of the matters reserved by this permission for approval by the district planning authority or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. In relation to the change of use of existing buildings or land on the site, the development hereby permitted must be begun before the expiration of five years beginning with the date of this notice.
3. Before any development takes place, a layout plan shall be submitted for approval by the district planning authority showing the principal areas within which it is intended that every one of the several uses specified in the application is to be accommodated. Any proposals which in the opinion of the district planning authority represent a substantial variation

Conditions Continued/.....

from the agreed layout shall be the subject of a separate application for planning permission.

4. None of the works, processes, industries, businesses or trades specified in Classes V to IX inclusive of the Town and Country Planning (Use Classes) Order, 1972 shall be undertaken on any part of the site.
5. None of the substances listed in the Appendix to Department of the Environment Circular 26/82 "Hazardous Substances" shall be stored on the site in excess of the quantities stated in that Appendix.
6. No goods or materials shall be stored in the open on the site in such a condition or in such a manner that they can be blown or otherwise deposited onto adjoining land.
7. None of the development specified in the application shall be undertaken on the area of land west of the County Road C.105 shown edged in red on drawing No. 7/GBC5/13/83/1 attached to this notice.
8. None of the development specified in the application shall be carried out on land to the east or south-east of the green line shown on drawing No. 7/GBC5/13/83/1, nor to the north or north-west of the blue line on that drawing.
9. Noise emanating from operations or processes conducted on the site shall not exceed 55 dB(A) between the hours of 7.00 a.m. and 7.00 p.m. nor 50 dB(A) between 7.00 p.m. and 7.00 a.m., as measured at the boundaries of the site.
10. No process leading to the emission of dust, grit, fumes or noxious gases shall be undertaken on the site.
11. Existing landscaping (including earth mounding) within the site shall be maintained.
12. Before development takes place, a scheme for the carrying out of additional landscaping (including earth mounding) within the site shall be submitted to and approved in writing by the district planning authority. Such scheme shall include, inter alia, details of the proposed positions, species and heights on planting and maturity of trees, shrubs and bushes to be planted, with particular emphasis (a) on the area close to the County Road C.105 east of the main access, and (b) on that part of the site which lies south of the road C.105. The approved landscaping scheme shall be carried out in its entirety within a period of 12 months from the date upon which development is commenced. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within two years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally required to be planted.

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Conditions Continued/.....

13. When details of any buildings to be erected on the site are submitted for approval pursuant to the requirements of condition 1 above, there shall be submitted for approval at the same time plans to show what provision exists or is to be made for the parking, manoeuvring, loading and off-loading of all vehicles associated with the use of the proposed building(s). Such parking, manoeuvring, loading and off-loading areas as may be approved shall be available for use before the building(s) are first brought into use, and shall thereafter be so retained.
14. Before any of the existing buildings is first used following the date of this notice, details shall be submitted for the approval of the district planning authority to show what provision exists or is to be made for the parking, manoeuvring, loading, and off-loading of all vehicles associated with the use of the building(s). Such parking, manoeuvring, loading and off-loading areas as may be approved shall be available for use before the building(s) are brought into use, and shall thereafter be so retained.
15. Before any part of the site is used for open storage, details shall be submitted for the approval of the district planning authority to show what provision is to be made for the parking, manoeuvring, loading, and off-loading of all vehicles associated with the use. Such parking, manoeuvring, loading and off-loading areas as may be so approved shall be available for use before the open storage use commences, and shall thereafter be so retained.
16. No new access shall be formed to the length of highway shown coloured orange on drawing No. 7/GBC5/13/83/1, and the existing vehicular access to that road which is located immediately to the south-west of the railway line shall be retained for emergency service vehicle access only.
17. The principal accesses to the site shall be the existing accesses marked in brown on drawing No. 7/GBC5/13/83/1, except that before the northernmost of these accesses is first brought into use following the grant of this permission, details for its improvement shall be submitted to and approved in writing by the district planning authority and such improvement shall be carried out to the satisfaction of the district planning authority.
18. Before any works are commenced on any length(s) of the existing internal access roads to improve them to a standard suitable for adoption as publicly maintainable highways, or on any new internal access roads which are to be constructed to such a standard, the following details shall be submitted to and approved in writing by the district planning authority:-
  - (i) Detailed plans to a scale of at least 1:500 showing:-
    - (a) the proposed layout of the access road junction(s) with the existing public highway(s) and existing internal access road(s), including all visibility splays;
    - (b) the proposed layout of the carriageways and footways on the development;
    - (c) the wearing course materials proposed for the carriageways and footways;

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Conditions Continued/.....

- (d) the highway drainage system;
  - (e) the proposed locations of street lighting columns, all services and ducts for services within the carriageways and footways;
- (ii) A phased programme for the completion of the proposed internal access roadworks.
19. Before any development takes place, full details of the means of disposal of foul and surface water drainage from the site shall be submitted to and approved in writing by the district planning authority.

The reasons for the above conditions are:-

- 1. & 2. To comply with the provisions of the Town and Country Planning Act, 1971.
- 3. So that the site is developed in an orderly fashion and the introduction of one use does not unduly compromise or prejudice the location of another.
- 4. & 5. Because the site is relatively close to occupied residential properties whose occupants should not be subjected to undue risk.
- 6. In the interests of visual amenity.
- 7. So that the future possibility of that land being developed by the construction of a jetty is not prejudiced.
- 8. So that the construction of a new road running northwards from C.105 to Burton-upon-Stather and the future realignment of C.105 itself are not prejudiced.
- 9. & 10. To protect the amenities of residents in Ancotts and Flixborough.
- 11. & 12. To enhance the appearance of the site in the interests of visual amenity.
- 13.-15. To ensure adequate facilities are provided, thus avoiding congestion or inconvenience resulting from parking and loading on roadways and in the interests of road safety.
- 16.-18. In the interests of road safety.
- 19. To ensure satisfactory arrangements are made in the interests of amenity.

Dated: 2 JUN 1983

Signed:

Clerk & Chief  
Executive Officer.