

Notice of Review: Caleco Waste, Eldin Industrial Estate, Loanhead

Procedural Report

Report by Ian Johnson, Head of Planning and Development

1 Purpose of Report

- 1.1 The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the amendment to condition 10 of planning permission 08/00680/FUL (Permanent use of land for waste transfer station, change of use of agricultural land to industrial use and erection of ancillary buildings, part retrospective) to amend hours of starting operation from 7.00am to 6.00am, 7 days a week (retrospective) at Caleco waste, Eldin Industrial Estate, Loanhead.

2 Background

- 2.1 Planning application 12/00390/DPP for the amendment to condition 10 of planning permission 08/00680/FUL (Permanent use of land for waste transfer station, change of use of agricultural land to industrial use and erection of ancillary buildings, part retrospective) to amend hours of starting operation from 7.00am to 6.00am, 7 days a week (retrospective) was refused on 12 December 2012; copy of the decision is attached to this report. Condition 10 of planning permission 08/00690/FUL states:

"No operation of plant or machinery shall be operated on any part of the site and no HGV's shall enter the site or be dispatched out with the following hours unless otherwise approved by the Planning Authority:

<i>Monday - Friday inclusive</i>	<i>7.00am - 10.00pm</i>
<i>Saturdays</i>	<i>7.00am - 6.00pm</i>
<i>Sundays</i>	<i>8.00am - 12.00 Noon</i>

Reason: *In the interests of safeguarding the amenity of neighbouring residences.*

- 2.2 The review has progressed through the following stages:

- 1 Submission of Notice of Review by the applicant.
- 2 The Registration and Acknowledgement of the Notice of Review.
- 3 Carrying out Notification and Consultation.

3 Procedures (Next Stage)

- 3.1 The next stage in the process is for the LRB to determine the following:

- 1 Whether any further information is required to determine the review.
 - 2 The time and date of the LRB site visit.
 - 3 Whether the site visit shall be accompanied or unaccompanied.
 - 4 Whether the review will progress by way of written representations or by a hearing. (The applicant is requesting that the review progresses by way of written submissions).
- 3.2 The final determination of the review will be scheduled for consideration by the LRB at its meeting on 4 June 2013.

4 Supporting Documents

4.1 Attached to this report are the following documents:

- A site location plan (Appendix A);
- A copy of the notice of review form and supporting statement (Appendix B);
- A copy of the case officer's report (Appendix C);
- A copy of the policies stated in the case officer's report (Appendix D);
- A copy of the decision notice 12/00390/DPP issued on 12 December 2012 (Appendix E);
- A copy of the decision notice 08/00680/FUL issued on 31 January 2012 (Appendix F); and
- A copy of the submitted plan (Appendix G).

5 Recommendations

5.1 It is recommended that the LRB determine:

- 1 Whether any further information is required to determine the review.
- 2 The time and date of the LRB site visit.
- 3 Whether the site visit shall be accompanied or unaccompanied.
- 4 Whether the review will progress by way of written representations or by a hearing.

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Background Papers: Planning applications 12/00390/DPP & 08/00680/DPP available for inspection online.