



Department for Levelling Up, Housing & Communities

Jonathan Haine
Head of Development Control
Planning and Environment Service
Lancashire County Council

Please ask for: William Cole

Email: will.cole@levellingup.gov.uk

Your ref: LCC/2022/0003

Our ref: PCU/RTI/Q2371/3308218

Date: 25th May 2023

Dear Mr Haine

Application by Nick Kennedy c/o Oaktree Environmental Ltd (agent) for the demolition of existing building and erection of purpose built building (and ancillary structures) to house high temperature treatment facility for the management of medical at Land at Tower House, Stopgate Lane, Simonswood (application no: LCC/2022/0003)

I refer to the above application which has been the subject of third-party requests to call in for determination by the Secretary of State for Levelling Up, Housing & Communities.

The Secretary of State has carefully considered this case against call-in policy, as set out in the Written Ministerial Statement by Nick Boles on 26 October 2012. The policy makes it clear that the power to call in a case will only be used very selectively.

The Government is committed to give more power to councils and communities to make their own decisions on planning issues and believes planning decisions should be made at the local level wherever possible.

In deciding whether to call in this application, the Secretary of State has considered his policy on calling in planning applications. This policy gives examples of the types of issues which may lead him to conclude in his opinion that the application should be called in. The Secretary of State has decided not to call in this application. He is content that it should be determined by the local planning authority.

In considering whether to exercise the discretion to call in this application, the Secretary of State has not considered the matter of whether this application is EIA Development for the purposes of the Town and Country Planning (Environmental

Impact Assessment) Regulations 2017. The local planning authority responsible for determining this application remains the relevant authority responsible for considering whether these Regulations apply to this proposed development and, if so, for ensuring that the requirements of the Regulations are complied with.

The Article 31 Direction issued pursuant to the Secretary of State's letter of 6 December 2022 is hereby withdrawn.

Yours sincerely

Andrew Lynch

**Andrew Lynch (Decision Officer)
Head of Casework (Propriety and Practice)
Planning Casework Unit**

This decision was made by the Parliamentary Under Secretary of State (Faith and Communities, and Lords Minister), on behalf of the Secretary of State, and signed on his behalf