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Lincolnshire
PE11 2XE
Admin 01775 764723
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Mrs Lucy Turner
Crowland Pallets 2009 Ltd
Fairview Farm
19 Mill Drove South
Cowbit, Spalding
PE12 6FS

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H01-0950-18 **Date of Decision:** 12th November 2018

Applicant: Mrs Lucy Turner
Crowland Pallets 2009 Ltd
Fairview Farm
19 Mill Drove South
Cowbit, Spalding
PE12 6FS

Location: Fairview Farm 19 Mill Drove South Cowbit Spalding

Description: Change of use to storage, distribution and light assembly work - approved under H01-0421-02. Modification of Condition 5 to allow 5 HGV's per week for delivery or despatch

South Holland District Council hereby give notice that this application has been GRANTED (or equivalent) subject to the following condition(s):

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Location plan (dated March 2002); and
Block plan (dated June 2002).

Reason: For the avoidance of doubt and in the interests of proper planning.

2 All assembly, and any industrial operations, shall be limited to business as defined in Class B1 of the Town and Country Planning (Use Classes) Order 1987; that is, the use shall be such as could be carried on or installed in the locality without detriment to the residential amenity of that locality because of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Reason: To safeguard the amenities of the locality.

3 The business use hereby permitted shall be operated only by the owner and/or occupant or an employee of the owner and/or occupant of No.19 Mill Drove.

Reason: The residential amenities of the occupant of that dwelling would be adversely affected by the operation of the business and this condition is imposed to safeguard against the separation of the business from the dwelling.

4 There shall be no commercial vehicular movements onto, off or within the site, nor any loading/unloading/mechanical materials handling between the hours of 19.00 and 07.30 Mondays to Saturdays or at any time on Sundays, Bank and Public Holidays.

Reason: To safeguard the amenities of the occupants of nearby dwellings.

5 There shall be no more than five deliveries/dispatches per week by way of articulated HGV's.

Reason: To safeguard the amenities of the occupants of nearby dwellings.

6 Before the use of the site is commenced the applicant shall erect screen fencing or walling along the northern boundary of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the approved fencing of walling shall thereafter be retained.

Reason: To safeguard amenities of the occupants of nearby dwellings.

7 The uses hereby permitted shall not be commenced until such time as a visibility splay has been formed at the frontage of No. 19 Mill Drove, on the north side of the access. The visibility splay shall be extended from a point 2.4 metres back from the carriageway edge on the centreline of the access, through the most northerly extremity of the site's frontage to Mill Drove, to the carriageway edge. The splay shall be cleared of all obstructions and be so maintained thereafter.

Reason: To ensure safe and adequate visibility for drivers of vehicles emerging from the site into Mill Drove.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch



Phil Norman
Planning and Building Control Manager
South Holland District Council

BUILDING REGULATIONS:
This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

RIGHTS OF APPEAL

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 grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice** OR **the timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

All appeals must be made using an Appeal Form which you can get from The Planning Inspectorate at Temple Quay House, 2 The Square, Bristol, BS1 6PN (tel: 0303 444 5000) or you can submit your appeal online at:

http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal

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 it imposed, having regard to the statutory requirements, to the

provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the Local Planning Authroity based its decision on a direction given by him.

For detailed information on appeals, appeal types and guidance on the appeals process please visit:

http://www.planningportal.gov.uk/planning/appeals/planningappeals

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant 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 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 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 the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.