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TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H02-0998-23 **Date of Decision:** 18th January 2024

Applicant: Sovereign Properties (England) Ltd
6 Blenheim Court
Peppercorn Close
Peterborough
PE1 2DU

Location: Former British Legion Club Chapel Street Crowland Spalding

Description: Proposed change of use from British Legion Club to Child Nursery & Community Hall with External Alterations - approved under H02-0945-22. Modification of Conditions 2 & 3 to allow amendments to previously approved plans relating to site changes and discharge of Conditions 4, 5, 7, 8 & 9 relating to operation details of arrangements for scooter & cycle provision, signage locations showing entrances & parking, roof lights, illumination of all elements of building and areas of the site and arrangements for private refuse/recycling collection.

South Holland District Council hereby give notice that permission 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:

H02-0998-23:

Application Form
211276-01
211276-04 rev F
211276-05 rev E
211276-06 rev D
211276-09 rev C

Photograph of Car Parking & Entrance Directions
Photograph of External Fencing
Photograph of Soft Play Fencing
Photograph of Wall Lighting

H02-0945-22:

Design and Access Statement by GOOD-DESIGN-ING dated 28 September 2022
Heritage Impact Statement by GOOD-DESIGN-ING dated 28 September 2022
211276-08

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

2 The parking arrangements as shown on drawing 211276-04 rev F shall be provided and laid out in accordance with the approved details within 6 months of the date of this decision, and shall be retained thereafter for the lifetime of the development.

Reason: To ensure that the development has adequate parking, pick up and drop off arrangements, in the interests of highway safety and highway use within the area in which it is located.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

3 The scooter and cycle parking arrangements shown on drawing 211276-06 rev D shall be installed in accordance with the approved details within 6 months of the date of this decision and shall be thereafter so maintained for the lifetime of the development.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development.
This Condition is imposed in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Plan, 2019.

4 Polite signage shall be maintained at the Chapel Street and Broadway elevations indicating the location of the entrances and parking for the development and to deter on street pick up and drop off.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Plan, 2019.

5 The nursery use hereby permitted shall not be open to customers and users and no deliveries shall be taken at or dispatched from the site except between the hours of 07:00 to 18:00 Mondays to Fridays, with no use on Saturdays, Sundays or Bank Holidays.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

6 The rooflights as shown on plan 211276-09 rev C shall be non-opening and maintained in accordance with the details hereby approved.

DC_FINAL_DECISION - ODB:14

Reason: In the interests of the character and appearance of the area and to protect the amenity of adjoining residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

7 The external illumination shown on plan 211276-09 rev C of the building and areas of the site shall be maintained thereafter in accordance with the details hereby approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

8 The refuse arrangements as shown on plan 211276-06 rev D hereby approved shall be retained for the lifetime of the development.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

9 The conifer tree screen shown on the boundary on drawing 211276-04 rev F shall be retained on the site for the duration of this use. The trees shall be maintained by the owner or owners of the land on which they are situated and all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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 by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

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

The previous approval required the submission of details associated with Conditions 4, 5, 7 8 and 9 under reference H02-0945-22. This approval discharges those details as part of this approval.



Phil Norman
Head of Planning
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		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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 the order.

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.