

FILE COPY

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H04-0086-15 Received: 16th February 2015 Type: FULL

Name: Mr C Cagdas
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 PE21 9HL

Agent: Mr C Cagdas
 5 Grand Sluice Lane
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Description: Change of use to pizza shop

Location : 18A MARKET PLACE DONINGTON
 SPALDING

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

- 1 The proposed development does not include any on-site provision for staff or customer parking or have adequate facilities for servicing. Notwithstanding the Traffic Regulation Order restricting parking on the adjacent highway, it is considered likely that staff, customers' and service vehicles associated with the proposed use would stop or wait on the highway at the frontage of the site where, because of the width and horizontal alignment of the highway close to a bend, they would obstruct the free passage and cause an unacceptable hazard to other road users, contrary to the interests of highway safety. The proposal is therefore contrary to the objectives of Policy SG16 of the South Holland Local Plan, 2006 and Section 7 of the National Planning Policy Framework.
- 2 The application site lies within the designated Donington Conservation Area where the Council must give special attention to the desirability of preserving or enhancing the character or appearance of that area. The proposed use would result in serious detriment to the residential amenities of nearby and adjacent occupiers as a consequence of increased levels of noise, odours and disturbance from people calling at the premises, particularly in the evenings and at weekends. Furthermore, customers leaving the proposed use (Use Class A5) might unlawfully deposit litter away from the application site which would harm that character and appearance. This probability provides compelling additional grounds for objection. The proposal is therefore contrary to the objectives of Policies SG17 and EC10 of the South Holland Local Plan, 2006.

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The Local Planning Authority has acted positively and proactively in determining this application in as timely a manner as possible and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory solution and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

Copies of all documentation submitted in connection with this application can be viewed online at www.sholland.gov.uk/doitonline/plandev/plansearch.aspx.

Note(s):

The determined plans are:

1:1250 Site Location Plan and un-numbered floor diagram.



Paul Jackson
Planning Manager

13th April 2015

H04-0086-15

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation.