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TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL REQUIRED BY CONDITION OF PERMISSION

Reference: H04-0211-21 **Date of Decision:** 9th August 2021

Applicant: JJR Property Investment
29 Westlode Street
Spalding
PE11 2AF

Location: Red Cow Hotel 8 High Street Donington Spalding

Description: Details of full historic building recording, management plan for communally accessible outdoor space, construction management, method statement for construction traffic, scheme to deal with contamination, proposed means of foul and surface water disposal, landscaping, boundary treatment, external materials, large scale constructional drawings, existing and proposed site levels, programme for phasing of development which prioritises works of repair and refurbishment of the Red Cow Hotel, bin storage buildings, refuse/recycling presentation points and scheme of lighting for the car parking areas (Conditions 6, 7, 8, 9, 10 ((i) (ii)), 11, 12, 13, 14, 15, 17, 18, 19, 20 and 21 of H04-1189-17)

South Holland District Council hereby give notice that CONSENT HAS BEEN GRANTED for the details submitted for the purpose of conditions attached to the planning permission.

Notes:

The determined plans are:

Application Form
Covering Letter
Schedule of External Materials
353-05
353-06

353-07
353-08
353-11
353-12
353-13
353-14
353-15
353-16
353-17
353-18
353-19
353-20
353-21

Asbestos Survey Report 20861

Fire Strategy Document

Phasing of Building Works

Construction Phase Plan - Version 1

Traffic Management Plan

5392-1

Phase I & II Geo-Environmental Investigation - GML20252/2/0

Drainage Impact Assessment - 10018-AWK V1-ZZ-RP-C-001-S4-P02

10018-AWK-V1-00-DR-S-001-S2-P02

Archaeological Monitoring & Recording & Historic Building Survey Prepared by Allen Archaeology Ltd Report Number AAL 2021045 - Dated April 2021

Email dated 5 August 2021 confirming site management arrangements and that no burning shall take place on site.

The applicant is advised that only parts i and ii of Condition 10 have been discharged and that parts iii and iv remain in effect and will require discharging at a later date.

The applicant is advised that whilst Condition 20 of H04-1189-17 was included on the list of conditions to discharge via this application, that the wording of Condition 20 is such that it is not possible to discharge, it is simply a condition which must be fulfilled, and therefore the applicant should proceed with ensuring that the requirements of that condition are met.



Phil Norman
Planning 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		

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@planninginspectorate.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.