Mr R Knowler
49 Laxton Gardens
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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H09-0103-16 **Date of Decision:** 1st April 2016

Applicant: Mr R Knowler
49 Laxton Gardens
Pinchbeck
Spalding
Lincs
PE11 3PR

Location: Former: Alpha Materials Handling Ravens Gate Holbeach St Johns Spalding

Description: Use of site for the storage of items in connection with the hiring of synthetic ice rinks and marquees, plus ancillary workshop and the erection of boundary fencing (retrospective)

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;
1:500 and 1:250 site layout plans.

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

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), the premises shall be used for the storage of items in connection with the hiring of synthetic ice rinks and marquees, plus ancillary workshop, and for no other purpose (including any other purpose in Classes B1 and B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any Order or Statutory Instrument revoking and re-enacting that Order).

Reason: To ensure that the Local Planning Authority retains control over the future use of the premises/site in the interests of the amenities of the locality and highway safety.
This Condition is imposed in accordance with Policies SG13, SG14, SG15 and SG17 of the South Holland Local Plan, 2006.

3 All work involving the maintenance/repair of equipment and/or vehicles shall be undertaken within the workshop. There shall be no audible noise from such activity at a point 1 metre from any neighbouring dwelling.

Reason: To ensure that there is no noise nuisance to nearby residents.
This Condition is imposed in accordance with Policies SG13 and SG17 of the South Holland Local Plan, 2006

4 All items stored outside shall either be palletised or placed in stillages/cages.

Reason: To define the terms of the permission, in the interests of visual amenity and the rural character of the area.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006.

5 Within 1 month of the date of this decision notice, full details of 2 metre high close boarded fencing to be erected along the eastern boundary of the site north of the access point shall be submitted to the Local Planning Authority for written approval. The approved scheme of fencing shall thereafter be fully implemented within a period of 2 months from the date of approval of the scheme and shall thereafter be retained in its entirety.

Reason: In the interest of the amenities of the locality.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006.

6 Within 1 month of the date of this decision notice a scheme of hedge planting, including details of position, height on planting and species, along the eastern boundary of the site north of the access point, shall be submitted to the Local Planning Authority for written approval. The approved scheme shall be carried out in its entirety within a period of six months from the date of approval. All hedging shall be maintained by the owner or owners of the land on which it is situated for the period of five years, beginning with the date of completion of the scheme, and during that period all losses shall be made good as and when necessary.

Note: The hedging shall be planted on the outer side of the fencing.

Reason: In the interest of visual amenity and the rural character of the area.
This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan, 2006.

7 Details of any external illumination, including details of luminance and fields of illumination, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. It shall thereafter be installed in accordance with the approved details.

Reason: To ensure that the Local Planning Authority retains control over these matters, in

the interests of the visual amenity of the overall development and to prevent light pollution. This Condition is imposed in accordance with Policies SG13, SG14 and SG17 of the South Holland Local Plan, 2006.

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



Paul Jackson
Place 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.