

Cards & More
36 - 38 High Street
Holbeach
Spalding
PE12 7DY

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TOWN AND COUNTRY PLANNING ACT 1990 ADVERTISEMENT

Reference:	H09-0620-22	Date of Decision:	8th September 2022
Applicant:	Cards & More 36 - 38 High Street Holbeach Spalding PE12 7DY		
Location:	36 - 38 High Street Holbeach Spalding		
Description:	Proposed Signage		

South Holland District Council hereby give notice that CONSENT HAS BEEN REFUSED for the display of advertisements for the following reasons:

- 1 In the opinion of the Local Planning Authority the impact of the proposal upon the Holbeach Conservation Area (HCA) is deemed to be unacceptable. This is because the scale, use of non-traditional materials and design of the proposed signage are not in keeping or in any way sympathetic to the HCA. It is therefore deemed that the proposal would not preserve or enhance the character or appearance of the HCA and, in fact, would be detrimental to it.

The proposal is not therefore in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019. Policy 2 states that sustainable development considerations should be met in respect of proposals in relation to such matters as character and appearance of an area and quality of design. Policy 3 indicates that proposals should complement and enhance designated heritage assets. Policy 29 states that within conservation areas proposals should assess and mitigate against any negative impact the proposal might have on the townscape, and roofscape. The aforementioned policies are in accordance with advice within the National Planning Policy Framework, 2021. Paragraph 197 states that local planning authorities should take account of the desirability of sustaining and enhancing heritage assets. Paragraph 136 indicates that the quality and character of places can suffer if advertisements are poorly sited and designed.

Notes:

The determined plans are:

Site Location Plan

Photograph indicating position of sign

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. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reason(s) for the refusal, that approval has not been possible.

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
Head of Planning
South Holland District Council

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.