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Robert Doughty Consultancy Ltd
32 High Street
Helpringham
Sleaford
Lincs
NG34 0RA

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H11-0030-19 **Date of Decision:** 27th March 2019

Applicant: Andersons Transport
C/O Robert Doughty Consultancy Ltd
32 High Street
Helpringham
Sleaford Lincs
NG34 0RA

Location: Gimmels Gate Long Sutton Spalding Lincs

Description: Extensions and alterations to existing warehouse, re-positioning of earth bund and the stationing of office and staff welfare accommodation.

South Holland District Council hereby give notice that this application has been GRANTED (or equivalent) subject to the following condition(s):

1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:
1345-1 PL BP01;
1345-1 PL LP01;
1345-1 PL SP01B;
1345-1 PL SP02A;
1345-1 PL EL01;
1345-1 PL GA01;
1345-1 PL GA02A;

1345-1 PL SE01.

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

3 Before the commencement of any building beyond over site to which this application relates the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are 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 landscaping scheme should include indigenous hedging interspersed by trees along exposed boundaries, as far as possible.

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.

4 The development hereby permitted shall only be used in conjunction with the existing use approved by virtue of planning permission Ref: H11/0203/95 involving the haulage of agricultural and/or horticultural produce.

Reason: In the interest of the amenities of the locality.
This condition is imposed in accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan, 2019.

5 The total number of lorries upon the site as outlined in red on dwg. no. 1345-1 PL SP01B accompanying the application shall not exceed 18 at any one time.

Reason: In the interest of the amenities of the locality.
This condition is imposed in accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan, 2019.

6 All mechanical handling of produce shall take place within the existing building and/or loading bays hereby permitted.

Reason: In the interest of the amenities of the locality.
This condition is imposed in accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan, 2019.

7 Between the hours of 11 p.m. and 6 a.m. noise from any plant or machinery operated within the existing building and/or loading bays shall not exceed 40 LA eq 5 minutes at any residential facade.

Reason: In the interest of the amenities of the locality.
This condition is imposed in accordance with Policies 2 and 30 of the South East

Lincolnshire Local Plan, 2019.

8 The new earth bund shall be completed in accordance with the approved details using topsoil only prior to any building to which this application relates being brought into use.

Reason: In the interests of the amenities of the locality.
This condition is imposed in accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan, 2019.

9 Prior to installation details of any additional lighting to be installed on the premises, including luminance and position, shall be submitted to and approved in writing by the Local Planning Authority. It shall thereafter be installed in accordance with the approved details.

Reason: In the interest of the amenities of the locality.
This condition is imposed in accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan, 2019.

10 Prior to any building hereby permitted being brought into use the vehicular access to the site shall be improved by the provision of a sealed surface in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority.

To ensure the provision of safe and adequate means of access to the permitted development.
This condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

11 Finished floor levels of all new buildings, including the office and amenity buildings, shall be set a minimum of 300mm above existing ground levels in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

12 Before any building hereby permitted being brought into use full details of the proposed means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 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 permitted development requires the formation of a new/amended vehicular access. Applicants should note the provisions of Section 184 of the Highways Act 1980. The works should be constructed to the satisfaction of the Highway Authority in accordance with the Authority's specification that is current at the time of construction. For further information, please telephone 01522 782070 or e-mail developmentmanagement@lincolnshire.gov.uk.

In accordance with advice from the Environment Agency it is recommended that appropriate flood mitigation measures/flood resilience techniques be incorporated into the development. The applicant is also advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.



Phil Norman
Planning and Building Control 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.