

Planning permission

Name and address of applicant

J A & M A Carter
Consultants Ltd
83 Mill Road
Stock
Ingatesone
Essex

Name and address of agent (if any)

Messrs Ruddle Wilkinson & Partners
15 High Street
Spalding
Lincs

Part I - Particulars of application

Date of application:

18 August 1976

Application no.

H/14/779/76

Particulars and location of development.

Planning permission to erect a shop and restaurant, to erect a petrol filling station, and to construct a car park and vehicular accesses in accordance with the amended plans received by South Holland District Council on 12 January 1977, at Wardentree Lane, Pinchbeck.

Part II - Particulars of decision

The **Lincolnshire County**

Council

hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.
2. Before any of the proposed buildings are occupied, provision shall be made for the satisfactory disposal of all foul drainage from the application site. Details of the proposed method of disposal of foul drainage shall be submitted to and approved by the District Planning Authority before the works to which they relate are carried out.
3. The roads and footways shall be laid out and made up in accordance with a specification, programme and details to be submitted to and approved by the District Planning Authority and in any event shall be so constructed that, by not later than the time each of the proposed buildings on the land is occupied, there shall be direct connection from them (completed to the approved specification) to an existing highway.
4. Before any development is commenced the approval of the District 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). Such scheme as approved by the District Planning Authority shall be carried out in its entirety within the period of 12 months beginning with the date on which development is commenced (or within such longer period

/cont. over....

XXXXXXXXXXXXXXXXXXXX

The reasons for the conditions are:

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

1. Required to be imposed pursuant to section 41 of the Town and Country Planning Act 1971.

Date **9 June 1977**

Date

G. E. Edmondson-Jones
G E Edmondson-Jones
County Secretary

Lincolnshire County

Council Offices
LINCOLN

Council

as may be agreed in writing with the District Planning Authority). All trees shrubs and bushes shall be adequately maintained for the period of ten years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

5. Before the construction of the proposed petrol filling station is commenced, details of the proposed method of construction, building materials to be used, elevations and plan views shall be submitted to and approved by the District Planning Authority.
6. No vehicles for sale shall be displayed on the site.
7. No repairs to vehicles shall be carried out on the site.
8. Before the proposed retail store is occupied the whole of the proposed car park shall be surfaced to the satisfaction of the District Planning Authority.
9. The areas shown on the plan accompanying the application reserved for the parking of vehicles shall be used, or be available, for vehicle parking at all times when the premises are in use.
10. Before the proposed store is occupied space shall be provided within the site as shown on the attached plan (Drawing No. 6458/4, received by the South Holland District Council on 12 January 1977) for the loading, unloading and parking of vehicles.
11. Before the proposed petrol filling station is occupied all of the existing buildings on the site shall be demolished and the materials shall be removed to the satisfaction of the District Planning Authority.

REASONS

1. Required to be imposed pursuant to section 41 of the Town and Country Planning Act 1971.
- 2.)
- 5.) Such details have not been submitted with the application.
3. In order to ensure that satisfactory access is provided to all buildings to be erected on the site.
4. In the interests of visual amenity,
- 6.) Such activities would interfere with the circulation of traffic within the
- 7.) application site, and in particular vehicles displayed for sale would occupy parking space required by customers at the proposed store.
- 8.) In order to ensure that the necessary car parking spaces for customers are
- 9.) available when required.
10. So that adequate on site loading/unloading facilities are provided, in the interests of the safety and convenience of traffic using Warentree Lane.
11. In order to ensure that adequate space is provided for the proper circulation of traffic at the proposed filling station, and in the interests of visual amenity.

CEE-1

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Department of the Environment, Becket House, Lambeth Palace Road, London SE1 7ER.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

(a) The statutory requirements are those set out in section 36(7) of the Town and Country Planning Act 1971 namely sections 29(1), 30(1), 67 and 74 of the Act.