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TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H16-0177-21 **Date of Decision:** 13th April 2021

Applicant: Blakemore Retail Ltd.
Longacres Industrial Estate
Rose Hill
Willenhall
West Midlands
WV13 2JP

Location: 210 Winsover Road Spalding

Description: Erection of a single-storey retail unit - Class A1 - approved under H16-0293-19. Modification of Condition 2 to allow amendments to previously approved plans.

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 9 May 2022.

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 and documents:

H16-0177-21

Application form
1918.PL03 A
1918.PL04 A
1676.PL05 A

Application form
Design and Access Statement. MARCH 2019
1918/T11 A
15-13398 100 A
15-13398 101
15-13398 102 A
1918 PL02
1918 PL01
Pedestrian Guardrail BX14 4204
Lift Assist Post BX20 5370-LA
Derby Compact Litter Bin BX45G 2550-CMP
Sheffield Cycle Stand BXMW/GS/Sheffield-Stand
Wardale Cycle Shelter BXMW/WAR
Guardsman anti ram bollard 11S019-S02
Drainage Documentation. 13144 SURFACE WATER C.MDX
Remediation Strategy September 2017
Site Investigation Interpretative Report September 2017

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

3 No deliveries shall be taken at or dispatched from the site outside the hours of 0900 and 1700 other than two single daily deliveries in a light vehicle between 0700 and 0900 hours and such single deliveries shall be via the main entrance to the stores.

Reason: To safeguard the amenities of nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

4 The shop hereby permitted shall not be open to customers outside the following times:
- 0700 and 2300 hours Mondays to Saturdays.
- 0700 and 2100 hours Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

5 The compressor units shall be enclosed on all sides and noise from fixed plant and machinery shall not exceed a level equivalent to 30dB LA eq 5 minutes during the hours of 2200 and 0700 as measured at a height of 1.5 metres at any residential boundary.

Reason: To safeguard the amenities of nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

6 No storage of materials, machinery, waste or other items shall take place outside the building on the site except where indicated on plan reference 1918.PL03 A.

Reason: In the interests of the appearance of the development and the visual amenity of

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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.

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 subsequently determining to grant planning permission.

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
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		

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@planning inspectorate.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.