FREETHS

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27 March 2025

Our Ref: 2153449/9/MM/LY

Planning Portal Reference: **PP-13898755**

Dear Sir/Madam,

APPLICATION TO DISCHARGE CONDITION 8 AND CONDITION 9 OF PLANNING PERMISSION REF: H16-0723-24 - ERECTION OF 2 SINGLE STOREY RESTAURANT/CAFE UNITS WITH ASSOCIATED DRIVE THRU'S (SUI GENERIS) AND 1 SINGLE STOREY RESTAURANT/CAFE UNIT (USE CLASS E), 42 CAR PARKING SPACES, ACCESS & LANDSCAPING
PLOT 3 LINCOLNSHIRE GATEWAY BUSINESS PARK, SPALDING, LINCOLNSHIRE, PE12 6FY

On behalf of Jenga Real Estate ("the Applicant"), please find enclosed an application to discharge details required by conditions 3 and 5 of the above permission.

The application includes:

- Application Form, duly signed and dated;
- General Works Layout Plan (Prepared by Frowsbury Design, FRO0DUK-003-WK-31 Rev M)
- Lighting Report (Prepared by Bever Innovations, External V3.2-EBY20250317);
- Deco 2.0 Spec Sheet; and
- Pole Mounted Lights (SKU 1684 and 16882) Spec Sheets;
- CCTV details (Pauls Aerial Solutions)

The Application Fee of £215 (inclusive of Planning Portal service charge) has been paid via the Planning Portal.

Separate details relating to each relevant condition are set out below.

Background

Freeths LLP is a limited liability partnership, registered in England and Wales, partnership number OC304688. Registered Office: Cumberland Court, 80 Mount Street, Nottingham, NG1 6HH. Authorised and regulated by the Solicitors Regulation Authority.
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In July 2023 full planning permission (ref: H-16-0395-23) was granted by South Holland District Council ("SHDC") for a drive thru/restaurant/café development comprising three units. The site forms part of the wider Lincolnshire Gateway Business Park and is to the west of Applegreen Services and west/south of various other similar food and drink uses.

Subsequently, a Section 73 application was approved in October 2024 (ref: H16-0723-24) to vary conditions 2 (Approved Plans), 3 (Landscaping), 5 (Levels), 8 (Lighting) and 9 (CCTV) to vary the approved drawings to incorporate changes to Unit 1 and introduce a proposed sub-station, and to allow for a phased implementation of the development.

A number of conditions were attached to this permission. As the proposal to bring forward this site for development progresses, this covering letter sets out the details of condition 8 and the information which has been submitted to discharge these.

It is noted that a further Section 73 application has been submitted to vary the detail of condition 3 in relation to biodiversity net gain (reference H16-1075-25) and this is awaiting a decision.

Condition 8

Condition 8 of the decision notice states:

"Prior to the first use of any phase of the development (as identified on drawing FRO-DUK-003-P-20), details of an external lighting scheme for the car park of the premises within that phase shall be submitted to and agreed in writing by the Local Planning Authority. The external lighting scheme shall be implemented in accordance with the approved scheme"

A Site Plan showing the proposed lighting has been prepared by Frowsbury Design (drawing ref: FRO-DUK-001-WK-42 Rev A) setting out the proposed lighting of the site, which comprises:

- 10 bollards along the drive thru
- 4 single pole lights along the southern boundary
- 2 single pole lights along the northern boundary
- 2 bollards in front of the building
- 1 bollard by collection bays
- 2 double pole lights in car park

Specification sheets for the pole lights and bollards and enclosed with this application, alongside a lighting report by Bever Innovations which considers light spill from the proposed lights.

Condition 9

Condition 9 of the decision notice states:

"Prior to the first use of any phase of the development, details of a CCTV system (including programme for its implementation, ongoing maintenance and management) for both security and monitoring purposes for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The CCTV scheme shall be implemented, managed and maintained in accordance with the approved scheme and programme."

The submitted site plan shows the location of the CCTV poles and the details from Paul's Aerial Solutions sets out the implementation, maintenance and management of the scheme.

Conclusion

I trust that the above and enclosed is in order and sufficient to discharge these conditions. Should you have any queries, please do not hesitate to contact me.

Yours faithfully,

This letter is approved but unsigned as it is sent electronically.

Maisie McCann
Graduate Planner
Freeths LLP
Please respond by e-mail where possible