



Town and Country Planning Act 1990

Planning Permission

Reference: H16-1458-03 Received: 03-DEC-03 Type: FULL

Name: Morrison Supermarkets plc
Property Division
Hilmore House
Thornton Road
Bradford BD8 9AX

Agent: Stone & Moon Associates
1 North Park Road
Harrogate
North Yorkshire
HG1 5PD

Description: Demolition of petrol filling station and erection of single-storey retail unit

Location : Winfrey Avenue and Swan Street Spalding

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the development in accordance with the application and plans submitted, subject to any condition(s) set out below:

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- 2 Notwithstanding the submitted details, before the development hereby permitted is commenced samples of the materials to be used for external walls and roofs shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the proposed development harmonises with existing buildings in the area.

This Condition is imposed in accordance with Policy E1 of the Adopted South Holland District Local Plan which establishes a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the locality.

- 3 Prior to the commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority, for the provision of 1.8 metre wide footways on the radii of the vehicular access to Winfrey Avenue, together with dropped kerb perambulator crossings on both radii and on the kerbline of the footway on the west side of Winfrey Avenue, opposite the vehicular access. The works, as approved, shall be completed prior to the commencement of trading from the site.

Reason: To ensure the provision of safe and adequate means of access for pedestrians, for those with perambulators and for those in wheelchairs.

This Condition is imposed in accordance with Policy E1 of the Adopted South Holland District Local Plan which establishes a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the locality.

- 4 No works associated with the development, other than for the demolition of existing above ground structures, shall take place until the applicant has secured the implementation of an archaeological mitigation strategy which has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall include details of the preservation, either in-situ or by record, of any archaeological remains and shall be based upon the results of an appropriate field evaluation.

Reason : To safeguard any items of archaeological importance.

This Condition is imposed in accordance with Policy E9 of the Adopted South Holland District Local Plan which seeks to safeguard and enhance the quality and amenity of the built environment and the district's cultural heritage.

- 5 Noise from fixed plant and/or machinery shall not exceed a level equivalent to 40 dBLAeq 5 minutes when measured at any residential facade.

Reason : To safeguard the amenities of the locality and any nearby unit of living accommodation against excessive levels of noise.

This Condition is imposed in accordance with Policy E1 of the Adopted South Holland District Local Plan which establishes a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the locality.

- 6 Areas of soft landscaping shall be dug out to a depth of 0.5 metres and then replaced with clean validated topsoil prior to planting. A validation certificate shall be submitted to in writing to the Local Planning Authority for approval.

The gas protection measures as indicated on page 20 of the report, reference CO184, shall be implemented.

The hydrocarbon impacted soils shall be removed from the site as specified on page 22 of the report, reference CO184.

Services to the development will need to be protected because of the possibility of residual hydrocarbons remaining in the soil. The method of protection shall be discussed with the relevant service suppliers and approved in writing with the Local Planning Authority.

If any noxious, odorous, brightly coloured, liquid, fibrous etc contamination is identified, works shall cease in that area and advice sought from a suitably qualified consultant. Any subsequent reports shall be submitted to the Local Planning Authority for approval.

If the underground storage tanks are to be left in-situ these shall be emptied and filled with clean validated material.

Reason : To safeguard against contamination.

This Condition is imposed in accordance with Policy E1 of the Adopted South Holland District Local Plan which establishes a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the locality.

- 7 The applicant shall submit to and have had approved in writing by the Local Planning Authority a scheme of CCTV for the site and the approved scheme shall be implemented prior to the premises being opened for trading.

Reason : In the interests of security.

This Condition is imposed in accordance with Policy E1 of the Adopted South Holland District Local Plan which establishes a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the locality.

- 8 The south western corner of the site shall be hard landscaped in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the premises being opened for trading.

Reason : In the interests of the visual amenities of the locality.

This Condition is imposed in accordance with Policy E1 of the Adopted South Holland District Local Plan which establishes a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the locality.

- 9 No development approved by this planning permission shall be commenced until:

a) A desk-top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (Conceptual Model). This should be submitted to and approved in writing by the Local Planning Authority prior to that investigation being carried

out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

c) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken.

d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

The development of the site should be carried out in accordance with the approved Method Statement.

Reason: To safeguard against ground water contamination.

This Condition is imposed in accordance with Policy E1 of the Adopted South Holland District Local Plan which establishes a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the locality.

- 10 Upon completion of the remediation detailed in the Method Statement a report shall be submitted in writing to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

Reason: To safeguard against ground water contamination.

This Condition is imposed in accordance with Policy E1 of the Adopted South Holland District Local Plan which establishes a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the locality.

Note(s):

The determined plans are:

Dwg no. (001)030-101-G received 3 December 2003.

Dwg nos. 001/030/121-D and 001/030/100-C received 12 January 2004.

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Your attention is drawn to the need to comply with the provisions of Section 4, 7, 8 and 8(a) of the Chronically Sick and Disabled Persons Act 1970, where appropriate, and Section 21 of the Disability Discrimination Act 1991, and to the Code of Practice for Access of the Disabled to Buildings (British Standard Institutions code of practice BS 5810:1979) or to Design Note 18 'Access for Disabled People to Educational Buildings', or to documents replacing such codes. Any work required which would alter the proposal hereby permitted may need a further application for planning permission.

A handwritten signature in black ink, appearing to read "Terry Huggins".

Head of Planning & Development

17 FEB 2004

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This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation.