SHDC
Planning & Development
03 MAR 2009
Ref: 0153/09

Council Offices
Priory Road
Spalding
Lincolnshire
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Town and Country Planning Act 1990

Planning Permission

Reference: H16/1314/97 Received: 18-FEB-98 Type: FULL

Name: L.C.S. Property Ltd
15-23 Tentercroft Street
Lincoln
LN5 7DB

Agent: Brightsolo Ltd
'Claytops'
Washingborough Road
Heighington
Lincoln LN4 1QR

Description: Erect petrol station, fastfood drive thru' restaurant with associated works including access

Location : Holbeach Road (Junction of A16/A151, North East Quadrant)
Spalding Lincs

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 No development shall take place on the site until a ghost island right turn lane has been provided on the A151 (Holbeach) Road to the reasonable satisfaction of the Local Planning Authority, in accordance with details to have previously been submitted to and approved in writing by the Local Planning Authority, or a legally binding arrangement for the construction of this feature has been entered into, and details of this arrangement have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

3 Before the use is commenced the access shall be provided to the reasonable satisfaction of the Local Planning Authority as shown on the amended drawing No TRT 97025/2D received by the Local Planning Authority on 24th March 1998.

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Reason: In the interests of highway safety.

4 The area(s) shown on the plan accompanying the application reserved for the parking of vehicles shall be used, or be available for use, for vehicle parking at all times when the premises are in use.

Reason: In the interests of the safety and convenience of traffic using the adjacent road.

5 Visibility splays of 4.5 metres x 215 metres to the east and 4.5 metres x 120 metres to the west shall be provided at the site access and kept clear of any obstruction over 0.6 metres in height above the adjoining carriageway edge, all to the satisfaction of the Local Planning Authority.

Reason: To ensure that drivers of vehicles have adequate vision distances when emerging from the access onto the public highway, in the interests of road safety.

6 Prior to the occupation of any of the buildings, a scheme of lighting in respect of the access and parking areas shall be implemented and made operational to the reasonable satisfaction of the Local Planning Authority in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of security, visual amenity and highway safety.

7 Arrangements shall be made for an archaeologist recognised by the Local Planning Authority to monitor all stages of the development involving ground disturbance in accordance with a scheme to be submitted to and approved by that authority before development is commenced. A report of the archaeologist's findings shall be submitted to the Local Planning Authority within one month of the last day of the watching brief, and shall include arrangements for the conservation of artefacts removed from the site.

Reason: The site is of archaeological interest.

8 The approved scheme of landscaping and/or screening shall be carried out in its entirety within a period of two years beginning with the date on

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which development of the land is commenced. The trees, shrubs or bushes shall be adequately maintained by the owner(s) of the land on which they are situated for a period of ten years beginning with the date of completion of the scheme, and all losses shall be made good during that period.

Reason: In the interests of visual amenity and to ensure that the approved scheme is implemented satisfactorily.

9 Prior to the occupation of any of the buildings, a child proof metal mesh fence shall be erected in the position shown in green on the attached plan in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and security.

10 No part of the land outside the building(s) shall be used for the deposit, storage or display of any goods or materials or other items.

Reason: To safeguard the amenities of the locality.

11 There shall be no means of vehicular or pedestrian access to the permitted building from the A16 Trunk Road.

Reason: In the interests of the safety and freedom of flow of traffic using this stretch of Trunk Road.

12 The area(s) shown on the plan accompanying the application reserved for the parking of vehicles shall be used, or be available for use, for vehicle parking at all times when the premises are in use.

Reason: In the interests of the safety and convenience of traffic using the adjacent road.

13 Before the building is commenced to be used adequate motor vehicle turning space shall be provided on the site to the satisfaction of the Local Planning Authority.

Reason: To enable vehicles to enter and leave the highway in forward gear

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in the interests of road safety.

14 Before the occupation of the buildings, full details shall be submitted to and approved in writing by the Local Planning Authority of the construction and surfacing of the car parking areas.

Reason: In the interests of amenity and visual amenity.

15 Before the commencement of development, details of fume extraction/ arrestment shall be submitted to and approved in writing by the Local Planning Authority. Such measures as approved by the Local Planning Authority shall be undertaken to the reasonable satisfaction of the Local Planning Authority before the occupation of the buildings to which they relate.

Reason: In the interests of residential amenity.

16 Noise from fixed plant and machinery shall not exceed a level equivalent to 43 dB LA eq 5 minutes between the hours of 2300 - 0700 hours and 50 dB LA eq 15 minutes at all times when measured at a height of 1.5 metres on the south eastern boundary of the car parking area.

Reason: In the interests of residential amenity.

17 There shall be no overnight parking of heavy goods vehicles on the site.

Reason: In the interests of residential amenity and to define the terms of the permission.

18 The operating hours shall be 0700 hours to 2330 hours on each day.

Reason: In the interests of residential amenity.

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This permission is granted in accordance with the application submitted as revised by the details of materials and amended plans (dwg nos. 97.106.01C, 97.106.02, 97.106.03, and 97, 106.03B) received by the Local Planning Authority on 3 Mar 98, amended plans (dwg nos. TRT 97025/2(D), 01 Revision E, and 02 Revision B) received by the Local Planning Authority on 24 Mar 98, amended plan (dwg no. 9833-01) and maintenance schedule received by the Local Planning Authority on 8 May 98 and supplimentary clarification received by the Local Planning Authority on 15 May 98.

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 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.

This permission does not convey in any way approval of the siting of signage shown on the submitted plans.

Head of Planning & Development
03 JUL 1998 H16/1314/97

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.