

Mace Limited
 155 Moorgate
 London
 EC2M 6XB

Council Offices
 Priory Road
 Spalding
 Lincolnshire
 PE11 2XE
 Admin 01775 764723
 DC Officers 01775 764703
 facsimile 01775 762937
planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H16-1002-17 **Date of Decision:** 7th December 2017

Applicant: Education & Skills Funding Agency
 Department For Education
 Sanctuary Buildings
 Great Smith Street
 London
 SW1P 3BT

Location: South Holland Post 16 Centre Matmore Gate Spalding

Description: Development of multi-use games area south of existing South Holland Post 16 Centre in Spalding and associated external works

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 the expiration of three years beginning with the date of this permission.

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:
 Drw No R-15494-301, Dwg No MAC-XX-00-DR-A-002-P2 Amendment 1, Drw No R-15450-201 (Topographic Survey), Appendix B Traffic Management, Appendix C Transport Feasibility Study, 34241-MAC-XX-XX-DR-A-304 1, 34241-MAC-XX-00-DR-A-004, 34241-MAC-XX-00-DR-A-002 1, 34241-MAC-XX-00-DR-A-001 1, MAC-XX-XX-DR-A-400 P 2 Amendment No 2, MAC-XX-XX-DR-A-305 P 3 Amendment No 2, MAC-XX-XX-DR-A-401 P 2 - Amendment No 2 and MAC-XX-00-DR-A-003 P 3 - Amendment No 2

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

- 3 Development shall not be commenced until an updated Travel Plan has been submitted to and approved in writing by the local planning authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order that the local planning authority conforms to the requirements of the National Planning Policy Framework, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

This Condition is imposed in accordance with Policies SG15, SG16 & SG17 of the South Holland Local, 2006, as well as Section 10 of the National Planning Policy Framework, 2012.

- 4 The Springwell Spalding /Wellspring Servicing & Car Park Management Plan shall be adhered to in perpetuity and updated/amended where necessary.

Reason: To ensure safe management of the traffic accessing the site in the interests of safety of the users of the site and of the public highway.

This Condition is imposed in accordance with Policies SG15, SG16 & SG17 of the South Holland Local, 2006, as well as Section 10 of the National Planning Policy Framework, 2012.

- 5 Use of the MUGA hereby permitted shall be restricted to between the hours of 09:00 to 21:00 Monday to Friday, and 10:00 to 18:00 on Saturday, Sunday and Bank Holidays.

Reason: In the interests of the amenity of local residents.

This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

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 by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>



Paul Jackson
Place 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		

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.

All appeals must be made using an Appeal Form which you can get from The Planning Inspectorate at Temple Quay House, 2 The Square, Bristol, BS1 6PN (tel: 0303 444 5000) or you can submit your appeal online at:

<http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

The Secretary of State can allow a longer period for giving notice of an appeal but he 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 him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the

provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

For detailed information on appeals, appeal types and guidance on the appeals process please visit:

<http://www.planningportal.gov.uk/planning/appeals/planningappeals>

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.