BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire, PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H16/1027/92 Received:30-SEP-92 Type:OUTLINE

Name: Fine Art Developments Plc
Dawson Lane
Dudley Hill
Bradford
West Yorks, BD4 6HW

Agent: John D Lynch Partnership
Mercia Lodge
65 Pinchbeck Road
Spalding
Lincs, PE11 1QF

Description: Conversion of existing warehousing to three retail units with car parking and service access

Location : Low Road Spalding
Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

1 The proposed development is of a scale that goes beyond the needs of the locality and the local environment and as such is contrary to Structure Plan Policy 13 and its proposed modification, and contrary to Policy S4 of the Spalding and Pinchbeck Local Plan and proposed Policy STC3 of its review. In the opinion of the Local Planning Authority the applicants have not produced convincing material considerations to demonstrate why the said policies should not prevail.

2 The proposed development would if permitted adversely affect the amenities of the adjoining dwelling, 5 Low Road, Spalding, by virtue of traffic noise and general disturbance, particularly from the proposed car parking area which is intended to serve the development.

sgd B SMITH
Director of Planning and Building Control Services

28-JAN-93 H16/1027/92

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/1027/92

Applicant: Fine Art Developments Plc
Dawson Lane
Dudley Hill
Bradford
West Yorks, BD4 6HW

Agent: John D Lynch Partnership
Mercia Lodge
65 Pinchbeck Road
Spalding
Lincs, PE11 1QF

Description: Conversion of existing warehousing to three retail units with car parking and service access

Location: Low Road
Spalding
Lincs

Type: OUTLINE

APPLICATION DETERMINED BY SECRETARY OF STATE - SUMMARY OF DECISION

Planning permission has been granted by the Secretary of State, or is deemed to have been granted, on conditions set out below or attached.

See attached copy.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)

50. For the above reasons and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the change of use of existing warehousing to three retail units with car parking and service access on land at Low Road, Spalding, in accordance with the terms of the application (No.H16/1027/92) dated 29 September 1992, the plans submitted therewith and the matters clarified in my paragraphs 2 and 3 above, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.

2. Noise emitted from fixed plant and machinery shall not exceed a level equivalent to 35 dB expressed as a 5 minute LAeq between 23.00 and 07.00 on any day as measured at a distance of 3.5 metres from any residential facade.

3. A mains electric plug-in facility shall be provided to permit refrigerated transporter units visiting the building to maintain refrigeration. Diesel powered refrigerated transporter units shall not be operated in the site. Signs instructing delivery persons of the latter requirement and of the plug-in facility shall be displayed at the service entrances and within the service areas.

4. No deliveries to the service areas shall be made on Sundays or Bank Holidays or between 18.00 and 08.00 on any other day.

5. Opening hours of the shops for customers shall be restricted to between 08.00 and 20.30. on any day.

6. There shall be submitted to the local planning authority full details of the boundary walls and fences along the boundaries of the appeal site between the appeal building and 5 Low Road and along the boundary with 1,3 and 5 Lowfields Avenue and the approved details shall be implemented before the building and service areas are brought into use.

7. No development shall take place until there has been submitted to and approved by the local planning authority a scheme for the laying out of the car park and its landscaping, which shall include indications of all existing trees on the land, and details of any to be retained, together with measures for their protection in the course of development.

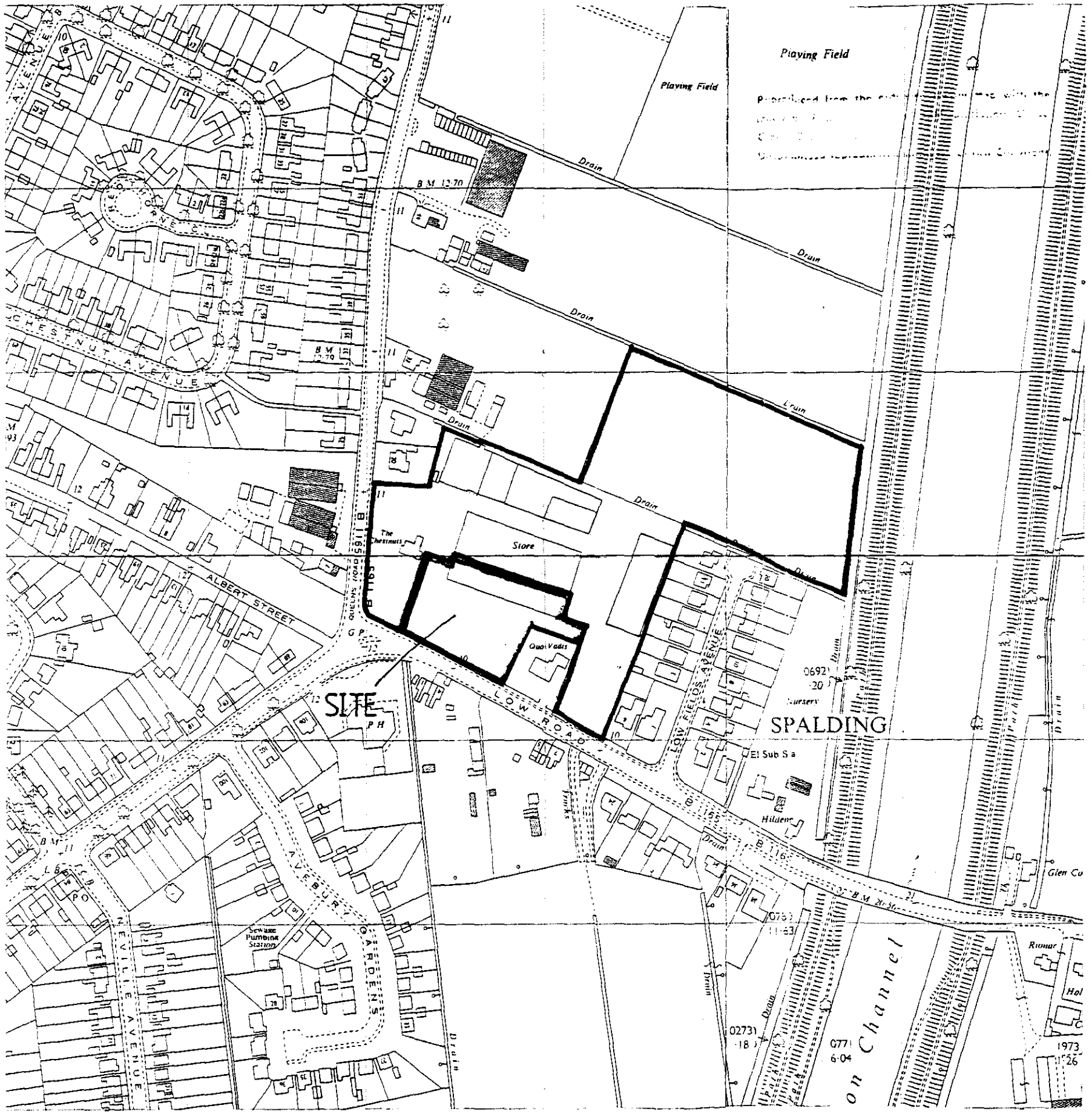
8. The area shown for a car park shall be laid out before the use commences and the car park shall be retained for that purpose only.

9. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planing authority gives written consent to any variation.

10. A visibility splay of 2.4 metres by 70 metres at the new site access shall be provided in accordance with the approved plan and such splay shall be cleared and kept clear of any obstructions. That new access shall be laid out and constructed in accordance with the approved plans and the existing access nearer to the junction with Queens Road shall be closed before the approved use commences.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)



LOCATION PLAN . 1:2500 . OS - TF 2524, TF 2624, TF 2523, & TF 2623 .

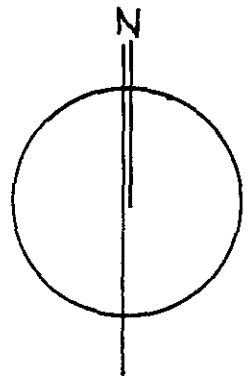
Do not scale from this drawing.

This drawing is copyright and may not be altered, traced, photographed or used for any purpose other than that for which it is issued without written permission from the John D Lynch Partnership.

The General Contractor is to check all dimensions on site and report discrepancies to the architect.

All details shown on this drawing including foundations are based upon typical site conditions related to the area. No responsibility can be accepted for abnormal conditions which may be discovered during construction unless reported to the Architects so that design amendments may be considered. Site soil surveys are recommended in respect of foundations to establish specific site conditions before foundation work is undertaken.

revision *date*



SOUTH HOLLAND D.C.
PLAN
30 SEP 1992
TF 1027/92

JOHN D LYNCH
partnership
CHARTERED
ARCHITECTS

project/drawing
PROPOSED DEVELOPMENT OF THE HORTICO SITE LOW RD SPALDING

scale	*date*	*drawn*
1:2500	9·92	MAC

project no.	*drawing no.*
1044	AK/16

revisions