Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

Rollins Electrical & Mechanical Services Ltd.
The Current Buildings
Jarvis Gate
Sutton St James
Spalding
PE12 0ER

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H22-0349-24 **Date of Decision:** 30th July 2024

Applicant: Flamingo Flowers Ltd.
Stone Gate
Weston
Spalding
PE12 0ER

Location: Flamingo Flowers Ltd Stone Gate Weston Spalding

Description: 3 sunken bays and relocation of existing offices and plant room, plus new plants holding store (retrospective)

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

1:2500 Location Plan
0119/LB-00 Rev 5
0119/LB-01 Rev 1
0119/LB-02 Rev 5
0119/LB-03 Rev 1
0119/LB-04 Rev 0
0119/LB-05 Rev 4
0119/LB-07 Rev 2
0119/LB-08 Rev 2
AD001 Sheet 1/1
Flood Risk Assessment (Stone Gate, Weston)
Written Scheme of Investigation for Archaeological Monitoring and Recording by APS dated April 2024

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Biodiversity Exemption Statement

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

2 Before the development hereby permitted is brought into use a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, December 2023.

3 Before the development hereby permitted is brought into use, details of any new external roof, floor and wall mounted plant and machinery associated with the new plants holding store shall be submitted to and approved in writing by the Local Planning Authority. It shall thereafter be installed in accordance with the approved details.

Reason: In order to ensure that the Local Planning Authority retains control over the siting of plant and machinery, in the interests of the amenity of nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

4 Noise from fixed plant and machinery associated with the development hereby permitted shall not exceed a level of 5 dB(A) above the background noise level when measured as a L(A)eq15min at any residential boundary not within the applicant's ownership.

Reason: To ensure that there is no noise nuisance to nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

5 Full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2023.

6 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with Policies 3 and 4 of the South East

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Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2023.

7 A copy of the final archaeological report shall be submitted to the Local Planning Authority and the Lincolnshire Historic Environment Record prior to the development being brought into use. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with Section 16 of the National Planning Policy Framework, December 2023.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

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

Your attention is drawn to the letter from South Holland Internal Drainage Board dated 31 May 2024 accompanying the application. You are advised of the need to comply with the requirements of the Drainage Board, which are covered by their own Bye-laws. You are further advised that any future amendments to this application and/or compliance with conditions must also respect those Bye-laws. Please contact the Drainage Board directly for further information.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
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		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

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.