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Council Offices
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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H23-1043-22 **Date of Decision:** 16th December 2022

Applicant: J & N Properties
C/O Robert Doughty Consultancy Ltd
32 High Street
Helpringham
Sleaford
NG34 0RA

Location: Newgate Hockney Hole Lane Whaplode Spalding

Description: Erection of storage building and change of use and recladding of existing glasshouse to storage (Use Class B8) in connection with existing industrial flooring business

South Holland District Council hereby give notice that permission 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:

1521-2_PL_GA01
1521-2_PL_GA02
1521-2_PL_GA03
1521-2_PL_LP01
1521-2_PL_SP01

1521-2_PL_SP02
Flood Risk Assessment by RM Associates dated August 2022
Design and Access statement dated October 2022

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

3 Details of any external lighting proposed shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the building. There shall be no external illumination other than that so approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

4 The buildings shall be used solely for the storage of vehicles, machinery, equipment and/or materials used in association with the applicant's industrial flooring business (Ascast Industrial Flooring Ltd), including ancillary maintenance of associated vehicles and equipment. The site shall not be used for any other purposes.

Reason: To ensure that the Local Planning Authority retains control over the future use of the premises/site in the interests of residential amenity.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

5 No industrial flooring shall be manufactured or prepared on the premises.

Reason: To ensure that the Local Planning Authority retains control over the future use of the premises/site in the interests of residential amenity.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

6 No vehicles (with the exception of private motor cars) shall call at or enter/leave the site and no repair/maintenance work shall be undertaken outside the following hours, nor at any time on Sundays, Bank or public holidays, unless agreed otherwise in writing by the Local Planning Authority.
- 7am to 8pm on Mondays to Fridays (inclusive).
- 7am to 1pm on Saturdays.

Reason: To protect the amenity of nearby residents.
This Condition is imposed in accordance with Policies 2 and 3 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,

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planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

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

If the existing soakaways are to be used to serve the new proposed store, it is recommended that you satisfy yourselves that they will be able to efficiently dispose of the surface water runoff associated with the proposed building. If new soakaways are proposed, it is advised that these are appropriately distanced from the existing soakaways and that infiltration testing in line with BRE Digest 365 (or equivalent) is undertaken to determine its efficiency. If this proves unfeasible, following the drainage hierarchy, the applicant would be expected to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. Please note that any discharge should be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the South Holland Internal Drainage Board is unlikely to grant consent for discharges in excess of greenfield rate.

There is a Board Maintained watercourse (DRN206G0701- P07 Crown Branch) adjacent to the eastern site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

The applicant should confirm if there are any riparian owned/maintained watercourses within or adjacent to the site boundary. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the aforementioned Board Maintained watercourse, or if works within 9 metres of the watercourse are proposed at any time in the future, consent would be required under Byelaw 10.



Phil Norman
Head of Planning
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		

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.