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Town and Country Planning Act 1990

Outline Planning Permission

Reference: H02-0786-14 **Received:** 22nd September 2014 **Type:** OUTLINE

Name: Mr T Speechley C/O Iba Planning Limited The Studios Church Farm Mansfield Road Edwinstowe Notts NG21 9NJ	Agent: IBA Planning Limited The Studios Church Farm Mansfield Road Edwinstowe Notts NG21 9NJ
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Description: Proposed residential development

Location : Land rear of 21 Peterborough Road Crowland
Peterborough Cambs

**South Holland District Council hereby give notice that OUTLINE
PLANNING PERMISSION HAS BEEN GRANTED for the development in
accordance with the application submitted, subject to the following:**

- 1 Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The following matters are reserved for subsequent approval by the Local Planning Authority and no development to which these matters relate shall be carried out until these matters have been approved, viz:
 - i) detailed drawings of the estate layout to a scale of not less than 1:500 and including road and plot layouts;
 - ii) detailed drawings to a scale of not less than 1:100 showing the siting, design and external appearance of each building, including a schedule of the materials to be used for external walls and roof;
 - iii) the siting and design of any vehicular access to a highway or estate road;
 - iv) the means of foul and surface water disposal;
 - v) details of landscaping and tree planting.

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vi) the existing and proposed site levels and floor levels of the buildings and hard surfaced areas.

Reason: The application was submitted in outline only and the above details are required to enable the Local Planning Authority to assess the detailed design, scale, appearance and layout of the development as well as ensure that appropriate access and services are provided to serve the development.

This Condition is imposed in accordance with Policies SG12, SG13, SG14 and SG18 of the South Holland Local Plan 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
14/130-01, 14/130-03 (layout indicative only) and ADC1097/001.

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

- 4 Before the development is commenced there shall be submitted to and approved in writing by the Local Planning Authority a scheme for the provision and phasing of one third of the total residential units as affordable housing on the site to meet local housing needs. The scheme shall identify how the affordable housing is to be provided, whether by means of a non-profit registered provider or otherwise, and the timing of delivery. In the submission of these details the location of each affordable housing unit shall be indicated, along with the size and tenure, the type of affordable housing, and arrangements for ensuring that the affordable housing to be provided meets identified local housing need. Not more than 50% of the total number of the approved dwellings, excluding the affordable element, shall be occupied until there has been a material commencement on the affordable housing units and not more than 90% of the approved dwellings, excluding the affordable element, shall be occupied until all the affordable housing units have been completed.

Note: In order to comply with this condition it may be necessary for the applicant/developer to enter into a planning obligation and/or agreement. You are therefore asked to bear this in mind when determining the timing of your submissions.

Reason: To ensure that the affordable dwellings are provided to meet identified local need, and remain affordable in perpetuity.

This Condition is imposed in accordance with Policy HS8 of the South Holland Local Plan 2006.

- 5 A minimum of 10% of the predicted energy needs of the development hereby permitted shall be met through renewable energy production equipment in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority. The details and equipment so approved shall be provided and made operational prior to the first use of the development

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hereby permitted and thereafter 10% of the energy needs of the development shall be met through renewable energy production equipment.

Reason: In the interests of sustainable development and the protection of the environment. This Condition is imposed in accordance with Policy SG7 of the South Holland Local Plan 2006.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order or Statutory Instrument revoking and re-enacting that Order), no garages, car ports or house extensions shall be erected within the curtilage(s) of the dwelling(s) on the site.

Reason: To ensure that the Local Planning Authority retains control over the future extension of the development, in the interests of its architectural and visual integrity, levels of residential amenity, the visual amenity and character of the area within which it is set, and to protect the mature trees set within and adjacent to the site.

This Condition is imposed in accordance with Policies SG1 and SG14 of the South Holland Local Plan 2006.

- 7 Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and floor levels of the buildings which shall be set at 300mm above ground level shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved.

Reason: To ensure that the Local Planning Authority retains control over the finished site and floor levels of the development, in the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent development and to comply with the advice set out by the Environment Agency in their response to this application.

This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan 2006.

- 8 Where trees are shown within the arboricultural survey dated 9th September 2014 and on dwg. no. 14/130-03 to be retained they must be protected prior to site clearance and during construction works to comply with British Standard 5837:2012:
- i) barriers to comply with British Standard 5837:2012 shall be provided around the trees to be retained before development is commenced at a minimum distance from the trunks equal to the Root Protection Area as calculated in British Standard 5837:2012, or equal to the spread of the crowns of the trees which ever is greater. No materials, equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made.
 - ii) no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees to be retained.

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- iii) no services shall be routed under the spread of the crowns of the trees to be retained.
- iv) no retained tree shall be cut down, up-rooted, destroyed, topped or lopped, unless a letter of application is made to (supported by arboricultural evidence) and prior approval is given, by the Local Planning Authority.
- v) should approval be given for removal of a tree which is shown to be retained (or in instances where a tree dies) it shall be replaced within twelve months of its removal with a tree of such size and species which shall first be agreed in writing by the Local Planning Authority unless the requirement is waived by the same.

Reason: To ensure the protection of trees on the site.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006 and national guidance contained in Section 11 of the National Planning Policy Framework, 2012.

- 9 When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.

This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006.

- 10 Before the commencement of development hereby granted, details of the proposed boundary treatment, including a schedule of materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

Reason: 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 Policy SG14 of the South Holland Local Plan 2006.

- 11 The development hereby permitted shall not be commenced until a scheme to deal with any

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contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures.

- i) a desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.
- ii) if identified as being required following the completion of the desk-top study, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.
- iii) thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the LPA.
- iv) two full copies of a full closure report shall be submitted to and approved in writing by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

The applicant's attention is also drawn to the document entitled "Developing Land Within Lincolnshire - A guide to submitting planning applications to develop land that may be contaminated", which can be obtained through the Local Environmental Health Department.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development.

This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

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dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as highway maintainable at the public expense, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Reason: To ensure the provision of safe and adequate means of access to each dwelling. This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan 2006.

- 13 No dwelling shall be commenced before the first 50 metres of estate road from its junction with Peterborough Road, including the visibility splays, have been completed.

Reason: in the interests of the safety and free passage of the public using Peterborough Road and so that calling vehicles may be able to wait clear of Peterborough Road. This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan 2006.

- 14 Before any dwelling is commenced, all that part of the estate road that forms the junction and which falls within the limits of the public highway shall be laid out and constructed to finished surface course levels in accordance with details that are to be submitted to and approved in writing by the local planning authority.

Reason: in the interests of the safety of the public using Peterborough Road. This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan 2006.

- 15 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding. This Condition is imposed in accordance with national guidance set out in Section 10 of the National Planning Policy Framework 2012.

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The Local Planning Authority has acted positively and proactively in determining this application by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise and subsequently determining to grant planning permission in as timely a manner as possible in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at www.sholland.gov.uk/doitonline/plandev/plansearch.aspx.

Note(s):

Should unexpected contamination be discovered on the site at any time, the applicant is advised to contact the District Council's Environmental Protection department immediately.

The applicant is advised to refer to the following document for information on flood resilience and resistance techniques that could be incorporated into the development: 'Improving Flood Performance of New Buildings - Flood Resistant Construction' (DCLG, 2007).



Paul Jackson
Planning Manager

19th February 2015

H02-0786-14

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.

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		
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 developments 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 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.

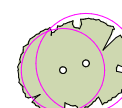
These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

THIS DRAWING INCLUDING THE DESIGN AND DETAILS
DEPICTED THEREON IS THE COPYRIGHT OF MPJ DESIGN
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DWELLINGS TO BE 2 STOREY. REFER TO SEPARATE SCHEDULE FOR GENERAL LOCATIONS, SIZES, HEIGHTS etc.

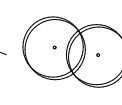
OFF-STREET PARKING TO COMPRISE EITHER GARAGES OR 2.4x4.8m OPEN BAYS. THOSE GARAGES COUNTING AS PART OF PARKING ALLOCATION TO HAVE MINIMUM INTERNAL DIMENSIONS OF 3x6m.



 EXISTING TREES TO BE RETAINED INCLUDING
ROOT PROTECTION AREA.



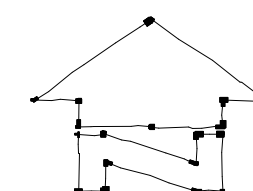
TREES TO BE REMOVED.



NEW GARDEN STANDARD TREE PLANTING, FOR ILLUSTRATION ONLY. SPECIFIC LANDSCAPING PROPOSALS TO BE AGREED AT RESERVED MATTERS STAGE

NEW JUNCTION AS DETAILED BY
ADC Infrastructure Ltd COMPRISING
6m RADII AND 2.4X43m SPLAYS.
4.8m WIDE CARRIAGEWAY WITH 2m
FOOTPATHS/VERGES.

iba planning



Client **Mr and Mrs T. Speechley**

Job proposed residential development to rear of
21 Peterborough Road
Crowland

Title	
Illustrative Layout Plan	

Scale	1:500	Dwg No	14/130-03
Date	Aug 2014		

MPJ DESIGN ASSOCIATES Ltd
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