Studio 11 Architecture
The Boat House
Office 32
Harbour Square
Wisbech Cambs
PE13 3BH

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764723
DC Officers 01775 764703
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TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73 MODIFICATION

Reference: H02-0900-19 **Date of Decision:** 19th February 2020

Applicant: Mr N Marshall
C/O Studio 11 Architecture
The Boat House Office 32
Harbour Square
Wisbech Cambs
PE13 3BH

Location: Land Off James Road Crowland Spalding

Description: Proposed residential development, replacement allotments and new cemetery, including woodland burial plots, associated infrastructure and new accesses - approved under H02-0771-18 - Modification of Condition 5 relating to affordable housing.

South Holland District Council hereby give notice that this application 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 documents and plans:

H02-0900-19

Application form
437.BP.01

H02-0259-15

1144-01-SP01A

H02-0108-18

1144-01 SP02 Rev A
Flood risk assessment December 2017 Version 1
Covering letter 29th January 2018
1144-1_SK_SK01 Rev A

H02-0039-19

437.SL.01I
External Material Schedule - James Road, Crowland: Rev A
437.DL.P.01D
Drainage Strategy 9 Jan 2019
Drainage Design Report v5.0
437.LD.P.01A
437.LD.P.02D
437.LD.P.03
437.LD.P.04C
437.Che.P.01A
437.DTW1.P.01
437.SG1.P.01
437.DG1.P.01
437.TG1.P.01
437.Oak.P.01B
437.Stir.P.01
437.Lum.P.01
437.Lan.P.01
437.Ric.P.01
437.Col.P.01
437.Els.P.01B
437.Hyl.P.01
437.Aln.P.01

H02-0771-18

1144-01 SP02 Rev A
Covering letter 30 July 2018 ref 1144 6 LMS MAG

H02-0899-19

437.AHS.01 B

H02-0898-19

437.MRP.01 A
437.P31.QG1.01
437.P42.DG2.01
437.P3.SG1.01
437.P33.SG2.01
437.P48.TG2.01
437.Els.P23.01A

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437.Els.P27.01A
437.Chev.P15.01
437.Aln.P33.01
437.Aln.Lan.P3.01
437.Col.P31.01
437.Col.P32.01
437.Lanc.P45.01
437.Lanc.P37.01
437.Oak.P25.01
437.Hyl.P01.01
437.Chev.P34.01
437.Lum.P43.01
437.Lum.P05.01
437.Stir.P6.01
437.Rich.P12.01
Abbey Farm, Crowland DRAFT PROGRAMME
437.BT.01
437.BT.02
Refuse & Recycling Scheme LAR 30th August 2019
CONSTRUCTION METHOD STATEMENT LAR Rev A 18 October 2019

H02-1045-19

437-S11-00-SI-DR-C-8200 Rev A
437-S11-00-SI-DR-C-8101 Rev A
437-S11-00-SI-DR-C-8010 Rev A
437-S11-00-SI-DR-C-8011 Rev A
437-S11-00-SI-DR-C-9010
437-S11-00-SI-DR-C-8030 Rev A
437-S11-00-SI-DR-C-8040 Rev A
437-S11-00-SI-DR-C-8100 Rev A
437-S11-00-SI-DR-C-8000 Rev A
437-S11-00-SI-DR-C-8020 Rev A
437-S11-00-SI-DR-C-9201 Rev A
437-S11-00-SI-DR-C-9450 Rev A
437-S11-00-SI-DR-C-9400 Rev A
437-S11-00-SI-CAL-C-9000 Network: Storm Network S11 08/10/2019
437-S11-00-SI-DR-C-8301
437-S11-00-SI-DR-C-9200 Rev A
437-S11-00-SI-DR-C-8300
437-S11-00-SI-DR-C-9001 Rev A
437-S11-00-SI-DR-C-9002 Rev A
437-S11-00-SI-DR-C-9000 Rev A

H02-0859-19

GeoDyne Combined Phase I Desk Study & Phase II Exploratory Investigation for Seagate Homes - Project No. D38094 V1.0 - Dated 31st October 2018
Remediation Method Statement Prepared by GeoDyne Limited - Project No. D38094 V1.1 Dated 20th January 2020.

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

2 Before each dwelling is occupied, the roads and footways providing access to that dwelling, for the whole of its frontage, from James Road, shall be constructed to a specification to enable them to be adopted as highways 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 safe access to the site and to each dwelling.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincs Local Plan, 2019 and the provisions of the NPPF 2019.

3 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (Flood risk assessment December 2017 Version 1) forming part of this planning application, in particular the following measures shall be fully implemented before the property is first occupied:

Finished floor levels of all dwellings shall be set no lower than 2.2mAOD.

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 Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

4 The scheme of landscaping and tree planting shown on drawing refs Landscaping Details 1 of 4 437.LD.P.01A, Landscaping Details 2 of 4 437.LD.P.02D, Landscaping Details 3 of 4 437.LD.P.03 and Landscaping Details 4 of 4 437.LD.P.04C shall be carried out and completed in its entirety during the first planting season following practical completion of the development. 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.

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 Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

5 No dwelling shall be commenced before the first fifty metres of estate road from its junction with James Road, including the visibility splays has been constructed.

Reason: To ensure safe access to the site and to each dwelling.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 2019.

6 All areas of publicly accessible open space shall be laid out and made available for use in accordance with the approved details (H02-0898-19 refers) and shall thereafter be so maintained.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space.
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 2019.

7 The approved boundary treatment (H02-0898-19 refers) 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 2 and 3 South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 2019.

8 Details of the means of storage and disposal of refuse and recycling shall be fully implemented in accordance with the approved scheme (H02-0898-19 refers) before the occupation of the first dwelling on site and shall thereafter be retained.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy 2 and 3 South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 2019.

9 The construction process shall be carried out in accordance with the approved detailed scheme of construction management (H02-0898-19 refers) to minimise disturbance during the construction process through noise, dust, vibration and smoke.

Reason: In the interests of the amenity of local residents. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy 2 and 3 South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 2019.

10 All lighting utilised in the development shall conform to the approved details (H02-1045-19 refers).

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 Policy 2 and 3 South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 2019.

11 The approved precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development (H02-0898-19 refers) shall be made available before commencement of the construction of the development and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the development.

Reason: In the interests of highway safety during the construction process. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy 2 and 3 South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 2019.

12 The development shall be undertaken in accordance with the approved detailed design of the arrangements for surface water drainage (H02-1045-19 refers) and no building shall be occupied before it is connected to the agreed drainage system.

Reason: To ensure that surface water run-off from the permitted development will not adversely affect, by reason of flooding, the safety or amenity of residents of the permitted dwellings or of neighbouring property.

This Condition is imposed in accordance with Policy 2 and 3 South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 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

This planning permission is subject to an Agreement under Section 106 of the Town & Country Planning Act 1990 dated 12 December 2019 (ref H02-0899-19) and can only be implemented as a consequence of meeting the provisions of that Agreement.



Phil Norman
Planning and Building Control 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		

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.