

Ashwood Homes  
1 Goodison Road  
Lincs Gateway Business Park  
Spalding  
PE12 6FY

Council Offices  
Priory Road  
Spalding  
Lincolnshire  
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## **TOWN AND COUNTRY PLANNING ACT 1990**

### **APPROVAL REQUIRED BY CONDITION OF PERMISSION**

**Reference:** H04-1104-20 **Date of Decision:** 18th February 2021

**Applicant:** Ashwood Homes  
1 Goodison Road  
Lincs Gateway Business Park  
Spalding  
PE12 6FY

**Location:** Towndam Lane Donington Spalding

**Description:** Details of Conditions 3, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 & 21 of H04-0508-19.

The works required by conditions 7, 8 and 9 cannot be discharged at this time.

**South Holland District Council hereby give notice that CONSENT HAS BEEN GRANTED for the details submitted for the purpose of conditions attached to the planning permission.**

#### **Notes:**

The determined plans and documents are:

Application Form  
Technical Submission PR11140 Issue C  
AHL-1411-01-HW-001 P2  
Covering Letter dated 8 December 2020 from Ashley King (Developments) Ltd  
104-CSL-01 C  
104-MSL-01 B  
Service Charge Summary. July 2020  
104-MCCP-01 B

Play Area Details. LEAP 2 - Traditional on Grassmat  
104-BT-01 B  
104-CSP-01  
Water Calculator Details 1  
Water Calculator Details 2  
AHL-1411-01-DR-006 P1  
AHL-1411-01-DR-007 P1  
AHL-1411-01-DR-008  
AHL-1411-01-DR-005 P3  
AHL-1411-01-DR-003 P1  
AHL-1411-01-DR-004  
AHL-1411-01-DR-002  
AHL-1411-01-DR-033 P1  
AHL-1411-01-DR-031 P1  
AHL-1411-01-DR-030 P2  
AHL-1411-01-DR-032 P5  
AHL-1411-01-DR-010 P1  
AHL-1411-01-DR-009 P1  
AHL-1411-01-HW-013 P1  
AHL-1411-01-HW-002 P3  
AHL-1411-01-HW-011 P1  
AHL-1411-01-HW-012 P2  
AHL-1411-01-HW-008 P1  
AHL-1411-01-HW-009 P1  
AHL-1411-01-HW-010 P2  
AHL-1411-01-HW-006  
AHL-1411-01-HW-007 P1  
AHL-1411-01-HW-003 P1  
AHL-1411-01-HW-004  
AHL-1411-01-HW-005 P1  
104-CMP-01 A

Notwithstanding the plans above, Conditions 5 and 10 of H04-0508-19 were withdrawn from the application on 11 Feb 2021 by the applicant, and this decision does not grant approval of the details of those conditions.

In order to discharge Conditions 5 and 10 of H04-0508-19 a formal application shall be required which may necessitate amendment of the plans referenced above.

The works required by conditions 7, 8 and 9 cannot be discharged at this time.

Approval of the above drawings should not be taken to imply approval of S38 technical details and separate consent is to be sought directly to Lincolnshire County Council.



**Phil Norman**

**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](mailto: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@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.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.