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NG34 0RA

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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H05-0361-22 **Date of Decision:** 15th September 2022

Applicant: Applegate Homes (Lincs) Ltd.
C/O Robert Doughty Consultancy Ltd.
32 High Street
Helpringham
Sleaford
NG34 0RA

Location: Land At Fleet Road Fleet Hargate Spalding

Description: Erection of 9 two-storey dwellings and associated infrastructure

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:
1459-5_PL_LP01 Rev A
1459-5_PL_SP01 Rev B
1459-5_PL_SP02 Rev A
1459-5_PL_PP01 Rev B
1459-5_PL_SS01
1459-5_PL_DD01
1459-5_PL_GA02
1459-5_PL_GA03

1459-5_PL_GA04
1459-5_PL_GA05
1459-5_PL_HTA_GA01
1459-5_PL_HTB_GA01
1459-5_PL_HTC(H)_GA01
1459-5_PL_HTC_GA01
SW 22-212-001 Rev A
SW 22-212-002 Rev B
SW 22-212-003 Rev A
SW 22-212-004
SW 22-212-005
SW 22-212-006
SW 22-212-007
Surface Water Drainage Principles & Calculations (Doc. Ref. SW 22-212-CAL-C-01)
Design and Access Statement including Heritage Impact Assessment (Document Ref. 1459 5 LMS) dated March 2022
Flood Risk Assessment by RM Associates (Version 1) dated March 2022

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

3 Notwithstanding the submitted details 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 before the commencement of the development hereby permitted beyond oversite. The development shall be constructed in accordance with the materials so approved.

Note: Plots 1-2 should be constructed in red brickwork with a natural slate roof. The remaining properties should preferably be red brickwork with either a natural/artificial slate or terracotta pantiled roof to reflect traditional vernacular and the site's location within Fleet Hargate Conservation Area.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

4 The approved scheme of landscaping and tree planting 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.

DC_FINAL_DECISION - ODB:14

5 The southern boundary of the site shall be delineated by a 1.8 metre high closeboarded fence, with 300mm trellising above, before any dwelling is occupied and shall thereafter be so maintained.

Reason: In order to ensure that the site is adequately screened, in the interests of the amenity of the area in which it is set including the amenity of nearby occupiers.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

6 A Construction Management Plan to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority before the development commences.
The Plan and Statement shall also indicate measures to mitigate against the adverse impacts of vehicle activity and for the management of surface water drainage of the site during the construction stage of the proposed development. It shall include;
· phasing of the development to include access construction;
· the on-site parking of all vehicles of site operatives and visitors;
· the on-site loading and unloading of all plant and materials;
· the on-site storage of all plant and materials used in constructing the development;
· wheel washing facilities;
· a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.
The construction process shall be carried out in accordance with the scheme so approved.

Reason: In the interests of the amenity of local residents and the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction. 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 Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

7 The development hereby permitted shall not be occupied before the two metre wide footway, shown on the submitted drawings, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been approved in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

8 The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme to which it relates has been completed. The approved scheme shall be retained and maintained in full in accordance with the approved details.

DC_FINAL_DECISION - ODB:14

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 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

9 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. In particular the following measures shall be fully implemented before the property is first occupied:
- Finished floor levels shall be set at 300mm above existing ground level at 3.30m aOD;
- Flood resilient construction shall be incorporated within the development up to 300mm above finished floor level in accordance with DCLG document "Improving Flood Performance of New Buildings - Flood Resilient Construction", 2007.

Note: Future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

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 national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

10 The refuse collection point for plots 4-9 shall be constructed in accordance with the approved details prior to occupation of those plots and shall thereafter be maintained.

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 Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019

11 Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

12 The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met

shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district.
This Condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

13 Before the commencement of the development hereby permitted beyond oversite full details of ecological biodiversity measures to be installed in conjunction with the development shall be submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be constructed/installed in accordance with the details so approved prior to the development being brought into use and shall thereafter be retained.

Note: Development can incorporate a number of simple, low-cost measures to deliver biodiversity benefits and enhance priority habitats and species, such as, the use of bat and barn owl roost boxes and integrating nesting opportunities into buildings. The use of swift bricks on new developments would help minimise the decline in swifts, a priority species.

Reason: To ensure that the development is able to deliver a net gain in biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2021.

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

The road serving plots 4-9 is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.
For further guidance please visit our website via the following links:

Traffic Management - https://www.lincolnshire.gov.uk/traffic-management
Licences and Permits - https://www.lincolnshire.gov.uk/licences-permits



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.