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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 73A CONTINUATION

Reference: H05-0622-18 **Date of Decision:** 23rd August 2018

Applicant: Mr John Connors
C / O Rps Group Plc
20 Western Avenue
Milton Park
Abingdon
OX14 4SH

Location: Heron Orchard Caravan Park Frostley Gate Holbeach Spalding

Description: Modification of Conditions 2 and 5 of H05-0847-10 to allow amendments to previously approved plans and increase the number of caravans on site from 23 to 28.

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 plans:
Dwg. no. 1182-0001-01;
Dwg. no. 1182-0002-01;
Static Caravan specifications (received 11 October 2010) accompanying planning application ref. H05-0847-10.

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

- 2 The static caravans shall be used as holiday accommodation only and shall not be occupied during the period 1 April and 30 April in any one year. They shall not be occupied as a person's sole or main place of residence.

Reason: To ensure that the development is restricted to holiday use only and not used for

residential purposes. Residential use would be contrary to the provisions of Policy HS7 of the South Holland Local Plan, 2006 and advice within the National Planning Policy Framework, 2018, which seek to control new residential development in the open countryside.

- 3 An up-to-date register of the names, main home addresses, visiting dates and length of stay of all visitors to the site shall be maintained at all times and be available for inspection by the Local Planning Authority at all reasonable times.

Reason: To ensure that the development is restricted to holiday use only and to prevent static caravans from being used for residential purposes. Residential use would be contrary to the provisions of Policy HS7 of the South Holland Local Plan 2006 and advice within the National Planning Policy Framework, 2018,, which seek to control new residential development in the open countryside.

- 4 No more than 28 static caravans shall be allowed on the whole of the holiday park (as outlined in red on the submitted plans) at any one time.

Reason: To define the terms of the permission and to ensure that the nature, scale and appearance of the development is acceptable.

This Condition is imposed in accordance with Policy LT7 of the South Holland Local Plan 2006 and advice within the National Planning Policy Framework, 2018.

- 5 Details of any additional external lighting to be installed on the premises shall be submitted to and approved in writing by the Local Planning Authority before such lighting is installed.

Reason: In the interests of visual and residential amenity.

This Condition is imposed in accordance with Policies LT7 and SG13 of the South Holland Local Plan 2006.

- 6 The floor levels of the static caravans shall be set a minimum of 500mm above the existing ground level and the caravans shall be secured to the ground to prevent them becoming mobile during a flood event.

Reason: To reduce the risk and impact of flooding on the development and future occupants in accordance with advice within Section 14 of the National Planning Policy Framework, 2018.

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 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>

The applicant is reminded that an application will also need to be made to South Holland District Council for an amended Caravan Site Licence under the Caravan and Control of Development Act, 1960.

In accordance with advice from the Environment Agency, the applicant is advised to prepare a flood warning and evacuation plan, undertaken and agreed in consultation with the Local Planning Authority's Emergency Planning Officer.



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		

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 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.