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PE12 7AP

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H05-0852-18 **Date of Decision:** 18th October 2018

Applicant: Mr H Gaskin
Herons Cottage
Frostley Gate
Holbeach
Spalding Lincs
PE12 8SR

Location: Frostley Gate Holbeach Spalding Lincs

Description: Proposed addition of 5 static caravans with the removal of 4 tourers

South Holland District Council hereby give notice that this application 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:
1:2500 location plan;
Dwg. no. SD18-034/1A;
Specification details from Delta Caravans.

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

3 A maximum of 30 static caravans shall be allowed on the caravan site (as outlined in red and blue on the submitted location plan) 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.

4 The static caravans on the caravan site (as outlined in red and blue on the submitted location plan) shall be used as holiday accommodation only and shall not be occupied during the period 1 February to 28 February 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 short term 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 Section 5 of the National Planning Policy Statement 2018, which seek to control new residential development in the open countryside.

5 An up-to-date register of the names, main home addresses, visiting dates and length of stay of all visitors to the caravan site (as outlined in red and blue on the submitted location plan) 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 Section 5 of the National Planning Policy Statement 2018, which seek to control new residential development in the open countryside.

6 No more than 29 touring caravans/tents shall be allowed on the whole of Herons Cottage Caravan Park (as outlined in red and blue on the submitted location plan) at any one time. The touring caravans/tents shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence.

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.

7 Details of any additional exterior lighting to be installed on the caravan park shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and thereafter installed in accordance with the approved details.

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.

8 The development hereby permitted shall be carried out entirely in accordance with the approved Flood Risk Assessment (reference GCB/SATS Leisure, dated September 2013) accompanying planning application ref. H05-0862-13. In particular:
- Each of the caravans shall be secured to the ground to prevent them becoming mobile during a flood event.

- The floor levels of the static caravans shall be set 500mm above the existing ground level.

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

9 Foul water shall be disposed of via the existing treatment plant in accordance with details shown on drawing number SD18-034/1A accompanying the application.

Reason: To ensure the provision of satisfactory facilities for the disposal of foul water, in the interest of the amenities of the locality.
This Condition is imposed in accordance with Policy SG12 of the South Holland Local Plan 2006.

10 The new hedging proposed along the north eastern boundary of the site shall be planted in its entirety within a period of 6 months beginning with the date on which development is commenced in accordance with details shown on dwg. no. SD18-034/1A. 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 Policy SG18 of the South Holland Local Plan 2006.

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 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.

Your attention is drawn to advice from the South Holland Internal Drainage Board dated 24 September 2018.



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 Authroity 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.