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# TOWN AND COUNTRY PLANNING ACT 1990

## FULL

**Reference:** H06-0077-17 **Date of Decision:** 21st March 2017

**Applicant:** K G Contractors Ltd
184 Avenue Farm
Sutton Bridge
Spalding
Lincs
PE12 9QF

**Location:** Station House Station Road Gedney Spalding

**Description:** Proposed storage compound and storage building and offices associated with construction specialists

## 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:
Dwg. nos. J079-PL 1A, J079-PL 2, J079-PL 3, J079-PL 4 and J079-PL 5A;
Flood Risk Assessment prepared by Julian Warrick Architectural Design Consultant dated 22 January 2017 (ref. J079-PDA).

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

3 The scheme of landscaping and tree planting shown on dwg. no. J079-PL 1A shall be

carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. 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.

4 Before the commencement of the development hereby permitted beyond oversite 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. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development 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 Policies SG14 and SG20 of the South Holland Local Plan, 2006.

5 Details of all new window frames to be utilised in the office building shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), cill and lintol detailing, and means of opening. The window frames shall be installed in accordance with the approved details and thereafter so maintained.

Note: the new windows should be timber sliding sash where appropriate.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the historic 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 Policies SG14 and SG20 of the South Holland Local Plan, 2006.

6 Details of the design of all new external doors and door frames to be utilised in the office building shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), threshold and lintol detailing, and means of opening. The doors and door frames shall be constructed in timber and installed in accordance with the approved details. They shall thereafter be so maintained.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the historic 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 Policies SG14 and SG20 of the South Holland Local Plan, 2006.

7 All new window frames, glazing bars and external door frames within the office building shall be of timber construction, painted white or cream and thereafter be so maintained.

Reason: In the interests of the historic 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 Policies SG14 and SG20 of the South Holland Local Plan, 2006.

8 The external face of the frame to all new windows and doors within the office building shall be set in reveals to match those of existing windows/doors on the elevation of the building to which they relate.

Reason: In the interests of the historic 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 Policies SG14 and SG20 of the South Holland Local Plan, 2006.

9 All new guttering on the office building shall be fixed to the external walls by means of gutter spikes/rise and fall brackets. No fascia boarding shall be used.

Reason: In the interests of the historic 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 Policies SG14 and SG20 of the South Holland Local Plan, 2006.

10 The rainwater goods on the office building shall be coloured black and thereafter be so maintained.

Reason: In the interests of the historic 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 Policies SG14 and SG20 of the South Holland Local Plan, 2006.

11 A 2.4 metre high acoustic fence shall be erected along the northern boundary of the site in accordance with details shown on dwg. no. J079-PL 1A before the re-positioned roadway is brought into use. The fencing shall thereafter be retained in its entirety.

Reason: To protect the amenity of neighbouring residents.
This Condition is imposed in accordance with Policies SG13, SG14 and SG17 of the South Holland Local Plan, 2006.

12 Details of palisade fencing to be erected on site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation.

Reason: In the interests of the character and appearance of the locality.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006.

13 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (FRA) forming part of this planning application and the following mitigation measures:

- For the office space finished floor levels are set no lower than existing;
- For the storage building finished floor levels are set 300mm above existing ground levels.

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 10 of the National Planning Policy Framework, 2012.

14 The re-positioned roadway and compound area shall be surfaced in accordance with the approved details prior to the compound being brought into use.

Reason: To ensure a satisfactory development in the interests of amenity and highway safety.
This Condition is imposed in accordance with Policies SG13, SG14, SG15 and SG17 of the South Holland Local Plan, 2006.

15 No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:
a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
b) Provide attenuation details and discharge rates which, unless agreed with the surface water receiving body, shall be restricted to 1.4 litres per second per hectare;
c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding. 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 SG11 and SG12 of the South Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

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 development hereby permitted will require the provision of a new vehicular access crossing. Applicants are requested to contact the Local Highway Authority's Divisional Office at Pode Hole - (via call centre Tel: 01522 782070) prior to the commencement of any works within the public highway.

The applicant/developer is advised that separate consent will be required from the South Holland Internal Drainage Board for a formal relaxation of their Bylaw 10.



Paul Jackson
Place 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.