SOUTH HOLLAND DISTRICT COUNCIL

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

541904

Northing (y)

324512

Description

The Orchards, Blazegate, Gedney, Spalding PE12 0AD

Applicant Details

Name/Company

Title

Mr

First name

John

Surname

Rooney

Company Name

Address

Address line 1

TTHE ORCHARDS

Address line 2

BLAZEGATE, GEDNEY

Address line 3

Town/City

County

Country

United Kingdom

Postcode

PE12 0AD

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

Mr

First name

Neil

Surname

Langley

Company Name

NKF Planning Consultancy Limited

Address

Address line 1

C/o NKF Planning Consultancy Ltd

Address line 2

4 Ford Avenue

Address line 3

North Wootton

Town/City

King's Lynn

County

Country

United Kingdom

Postcode

PE30 3QS

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Change of use of agricultural land to provide 5 Gypsy/Traveller family pitches each having a static mobile home, dayroom, parking for a tourer and 2 vehicle spaces together with a treatment plant, the laying of hardstanding and associated ancillary works.

Reference number

H06-0532-23 (Approved on appeal PINS Ref: 3339458

Date of decision (date must be pre-application submission)

05/07/2024

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 9 (flood risk mitigation)

Has the development already started?

- [x] Yes
- [ ] No

If Yes, please state when the development was started (date must be pre-application submission)

21/07/2021

Has the development been completed?

- [ ] Yes
- [x] No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

We would like to change the timeframe for compliance with Condition 9 for the following reasons:
1. The requirement has placed a financial burden on the applicant and he needs more time to comply.
2. The requirement requires the caravans to be craned onto a platform, posts or blocks and more time is required to arrange for a crane to be available to take the load of the caravan.
3. We need to make sure there is no contradiction between the flood risk mitigation approved under Condition 9 and any drainage works, proposed flood levels or biodiversity net gain works required under conditions 5, 6 and 7. It is hoped that we will be in a position to submit the BNG information soon and thereafter comply with all three matters, including the flood risk mitigation.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

New Wording for Condition 9:

The development shall be carried out in accordance with the mitigation measures detailed in the submitted flood risk assessment (ref ECL0712a/NKF Planning Consultancy, dated May 2023). These mitigation measures shall be fully implemented within nine months of the date of this decision and subsequently retained and maintained thereafter throughout the lifetime of the development.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [x] The agent
- [ ] The applicant
- [ ] Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- [ ] Yes
- [x] No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- [x] Yes
- [ ] No

Is any of the land to which the application relates part of an Agricultural Holding?

- [ ] Yes
- [x] No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- [x] The Applicant
- [ ] The Agent

Title

Mr

First Name

John

Surname

Rooney

Declaration Date

04/10/2024

- [x] Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

- [x] I / We agree to the outlined declaration

Signed

Neil Langley

Date

04/10/2024