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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference:	H07-0192-22	Date of Decision:	9th June 2023
Applicant:	Mr J Murray C/O Robert Doughty Consultancy Ltd 32 High Street Helpringham Sleaford NG34 0RA		
Location:	Teremok Station Road Gedney Hill Spalding		
Description:	Proposed Use of Land for the Stationing of Accommodation for Armed Forces Veterans to Create a Reintegration Facility		

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

- 1 The use of the land for the purposes of providing residential accommodation for veterans and managers' shall be for a limited period of five years from the date of this decision. The use shall cease at the end of that period, by which time all materials and equipment, including the managers' and veterans' accommodation buildings, all structures or paraphernalia in connection with the use as shown on plan 1448-1_PL_SP02 Rev A shall be removed from the site and the land shall be reinstated to agricultural use.

Reason: Permission has been granted on grounds of providing temporary accommodation only. Also, as the accommodation buildings are of a temporary nature and by reason of their materials may become dilapidated and cause injury to the amenities of the locality. A temporary permission enables the Local Planning Authority to review the situation with regard to these issues.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form

Site Location Plan, drawing number 1448-1-PL-LP01

Design and Access Statement 1448 1 PS/FRA LMS

Proposed Site Plan, drawing number 1448-1-PL-SP02 Rev A

Accommodation Building, drawing number 1448-1-PL-GA01 Rev A

Manager Accommodation, drawing number 1448-1-PL-GA02 Rev A, received by the Local Planning Authority on 25th April 2022.

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

- 3 The development shall consist of no more than 68 square metres of floorspace for the Managers' accommodation and 68 square metres of floorspace for the Veterans' accommodation (measured externally). Buildings on site shall not be used for any uses other than those specified within the terms of the application (the stationing of accommodation for up to six veterans and Manager's Accommodation) and for no other uses within the Town and Country Planning (Use Classes) Order 1987 (as amended) or including the use of a cafe or car repairs (as specified within Classes E, B2 or B8 of the Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020), or any Order subsequently revoking or re-enacting those Orders.

Reason: To ensure that the Local Planning Authority retains control over the future use of the site in the interests of protecting the countryside.

This Condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

- 4 The temporary accommodation (Managers' Accommodation and Accommodation Building) hereby approved shall only be occupied by individuals directly involved with the operation of the approved use within the control of the applicant.

The applicant shall maintain occupancy records of the accommodation buildings, which shall be made available for inspection by the Local Planning Authority at any time.

Reason: To prevent the temporary accommodation buildings being used as permanent, unrestricted residential accommodation.

This Condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

- 5 Unless in connection with a mental health emergency, visitors to the site to provide care, undertake health or other assessments for the resident veterans shall only take place during the hours of 9am and 5pm Monday to Friday and at no other time including weekends or bank holidays. The site shall not be open to members of the public.

Reason: In order to minimise noise, disturbance and decrease comings and goings during unsocial hours associated with the use in the interests of amenity to nearby residential properties.

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

- 6 Notwithstanding internal lighting of the Managers' and Veterans' accommodation and shown on plan 1448-1-PL-SP02 Rev A, no other lighting, including lighting fixed to the external elements of the buildings (either temporary or permanent) shall be erected or utilised on site.

Reason: In the interests of amenity and to ensure that the character of the agricultural land is maintained.

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

- 7 Before the commencement of the development hereby permitted beyond oversight 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 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 8 Before the commencement of the development hereby granted beyond oversight, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

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

- 9 Before the commencement of the development hereby granted, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained and to avoid pollution.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

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>

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience_.aspx

British Standard 85500 - Flood resistant and resilient construction
<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

The additional information supplied entitled 'Policies and Procedures Document Amendment 1' contains information about the potential future development of the facility, including the use as a cafe, shop and car repair business. It is noted that these do not form part of the current application. Such uses would require planning permission but are unlikely to be acceptable due to the unsustainable location of this site, and to ensure that the agricultural character of the area is maintained.

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.



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		

<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

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.