

Ashwood Homes
1 Goodison Road
Lincs Gateway Business Park
Spalding
PE12 6FY

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TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL REQUIRED BY CONDITION OF PERMISSION

Reference: H09-0914-20 **Date of Decision:** 1st February 2021

Applicant: Ashwood Homes
1 Goodison Road
Lincs Gateway Business Park
Spalding
PE12 6FY

Location: Land At Fen Road Holbeach Spalding

Description: Details of boundary treatment, external materials, foul water disposal, site levels, notification relating to archaeological work, details of 2.0 metre wide footway, finished surface levels, surface water drainage scheme, construction management, precautions for mud deposits on road, plan showing areas of publicly accessible open space and management plan for areas of publicly accessible and outdoor play areas (Conditions 4, 5, 7, 8, 9, 11, 12, 13, 14, 15, 16 and 17 of H09-0276-19)

South Holland District Council hereby give notice that CONSENT HAS BEEN GRANTED for the details submitted for the purpose of conditions attached to the planning permission.

Notes:

The determined plans and documents are:

Application form
MA11102-601E
MA11102/602E
MA11102/603C
MA11102-600D

103-SS-01A
103-BT-01A
103-BT-02
MA10602-A-200-1H
Service Charge Summary September 2020
Public Open Space Maintenance Plan & Estate Management Overview September 2020
103-MCCP-01
103-CMP-01
AS2344/1 A1
MA11102-207
MA11102-205 A
MA11102-206 A
MA11102-204-1A
MA11102-204-2B
MA11102-204-3B
MA11102-200 E
MA11102-203A
MA11102-201B
MA11102-202-2A
MA11102-202-1A
MA11102-611
MA11102-611-1
MA11102-611-2
MA11102/610 A
MA11102-609
MA11102-608
MA11102-605-1C
MA11102-605-2C
MA11102-604 B
118-MSL-01
103-LEAP-01
Test Certificate - Surfacing
Proludic Play Equipment

The Internal Drainage Board notes on the External Levels Plan (drawing no. MA11102-601E External Levels Plan) the presence of a Gravel Board/Retaining Wall adjacent to Plot 3 and leading northwards towards Plot 1 and part of the northern site boundary. This Board/Retaining Wall may be emplaced no closer than 9 metres from the brink of the Board's watercourse unless permission is sought from the Board. If this consent is not forthcoming then a further Discharge of Condition application would be required to be made to the Local Planning Authority.

As regards Construction Method Statement Amendment 3 (11.12.20) the Internal Drainage Board requests that the land within 7 metres of the brink of the Holbeach River is kept clear of obstructions, any heavy plant crossing is kept to a minimum and this area is not to be used for the storage of materials at any time.

The positions of all external boxes for gas and electricity supplies should where possible be located away from front elevations of properties, and located on side elevations or be ground mounted.

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>



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		

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@planninginspectorate.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.