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TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H09-0429-17 **Date of Decision:** 9th June 2017

Applicant: Nigel Morris Builders Ltd
Keepers Cottage
Damgate
Holbeach
Spalding Lincs
PE12 8PB

Location: 9 West End Holbeach Spalding

Description: Demolition of former watch repair shop and construction of a pair of semi-detached two-bed houses - approved under H09-1023-15 - Modification to Condition 18 to allow surface water to be disposed of to soakaways

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

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Dwg. nos. 1502-01A accompanying planning permission ref. H09-1023-15;
Dwg. no. 1502-02B.

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

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), none of the following developments or alterations shall be carried out:
i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
ii) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;

iii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows.

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity, levels of residential amenity and the visual amenity and character of this part of the Conservation Area within which it is set.
This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan, 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

3 The external roofing material shall be natural slate in accordance with details accompanying condition compliance application H09-0215-16.

Reason: In the interests of the character and visual amenity of this part of the Conservation Area.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006 and advice within Section 12 of the National Planning Policy Framework, 2012.

4 All window and door frames and external doors shall be constructed in timber. The window and door frames shall be painted white or cream.

Reason: In the interests of the character and visual amenity of this part of the Conservation Area.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006 and advice within Section 12 of the National Planning Policy Framework, 2012.

5 The metal railings along the northern, eastern and western boundaries shall be installed in accordance with the approved details and painted black before the development is first brought into use. They shall thereafter be retained.

Reason: In the interests of the character and visual amenity of this part of the Conservation Area and also the amenity of neighbouring residents.
This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan 2006 and advice within Section 12 of the National Planning Policy Framework, 2012.

6 Before either dwelling is occupied the garden wall along the eastern boundary of the site shall be constructed in accordance with the submitted details with a re-constituted stone or brick coping.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

7 Before the dwellings are occupied, the parking areas shall be completed in accordance with the approved details and retained for that use thereafter.

Reason: To ensure a satisfactory development and safe access to the site and each dwelling, in the interests of residential amenity, convenience and safety.
This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

8 Foul water shall be disposed of via the mains sewer.

Reason: To ensure that the site is adequately drained in the interests of the amenity of future occupiers and the amenities of the locality.
This Condition is imposed in accordance with Policies SG12 and SG13 of the South Holland Local Plan 2006.

9 Surface water shall be disposed of via soakaways in accordance with details shown on dwg. no. 1502-02B.

Reason: To ensure that the site is adequately drained in the interests of the amenity of future occupiers and the amenities of the locality.
This Condition is imposed in accordance with Policy SG11 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 subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

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.