

Mr D & A Rulewski
Glastonbury House
45a Low Lane
Holbeach
Spalding
PE12 7PW

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference:	H09-0575-22	Date of Decision:	24th May 2023
Applicant:	Mr D & A Rulewski Glastonbury House 45a Low Lane Holbeach Spalding PE12 7PW		
Location:	47 Low Lane Holbeach Spalding		
Description:	Erection of four detached dwellings, one detached garage and demolition of existing bungalow - re-submission of H09-1094-21		

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

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 implemented in full accordance with the following approved plans and documents:

Application Form
Site Location Plan
001 Rev A
002 Rev A
003
004

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

- 3 The dwelling on Plot 1, as depicted on approved plan reference 001 Rev A shall extend no further than the equivalent 8.7m measured rearwards from the rear elevation of The Chestnuts.

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

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

- 4 The development hereby permitted shall be undertaken in full accordance with a construction Management Plan and Method Statement to have first been submitted to and approved in writing by the Local Planning Authority, which shall include details of:
- The phasing of the development, to include access construction.
 - Parking for site operatives and visitors.
 - Measures to mitigate any potential adverse effects of vehicle movements and vehicle parking.
 - Loading and unloading of plant and materials.
 - The storage of plant and materials used in constructing the development.
 - Wheel washing facilities.
 - A strategy stating how surface water run off on and from the development will be managed during construction.
 - Working hours.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

- 5 The development hereby permitted shall be carried out in full accordance with the measures set out in the approved Flood Risk Assessment, dated 1 October 2021. In particular, the following measures shall be fully implemented before the development is first occupied:
- Finished ground floor levels shall be raised at 3.5m AOD (no lower or higher).
 - Flood resilient construction shall be incorporated in the buildings to a height of 300mm above finished ground floor level.
 - Future occupiers shall be provided with an emergency plan for safe evacuation depending upon the prevailing conditions.
 - Surface water run-off from the roofs of the dwellings and detached garage hereby permitted shall be discharged into soakaway crates. The infiltration system together with associated drainage shall be designed to BRE Digest 365 and meet the requirements of Part H of the Building Regulations.
 - Permeable block paving and gravel driveways shall be utilised with a suitable base to

allow the surface water to permeate into the ground.

-Services, where possible, shall be located above the 1% (1 in 100 year) plus climate change peak flood level.

-Flood warning and evacuation measures, to include safe routes for evacuation and flood warning registration, shall be put in place to ensure any potential flood events are communicated to occupiers at the earliest opportunity.

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 Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

- 6 Prior to the commencement of development beyond oversight, full details of the proposed means of foul and surface water disposal to separate systems shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full prior to there being any flows into the receiving systems.

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

- 7 Prior to the commencement of development beyond oversight, a schedule of external-facing materials for the construction of buildings and paved areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details.

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 Prior to the commencement of development beyond oversight, a scheme of soft landscaping for the site to complement the existing mature hedge to be retained (as depicted upon approved site plan reference 001 Rev A) and to include the number, species, heights and positions of all trees to be planted together with details of post-planting maintenance shall be submitted to and approved in writing by the Local Planning Authority, and shall thereafter be implemented in its entirety during the first planting season following practical completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed, uprooted, or become significantly damaged, diseased or deformed, shall be replaced during the next planting season with others of the same size, species and quality as approved.

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 Policies 2, and 3 of the South East

- 9 Prior to the occupation of the development, details of the means of storage and disposal/collection of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development, and thereafter retained.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity and in the interests and appearance of the site and the area within which it is set.

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

- 10 Prior to first occupation of the development, full details of intended boundary treatments, including a schedule of fencing levels, heights, and materials shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full prior to the first occupation of the development and retained thereafter.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.

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

- 11 The water consumption of each dwelling hereby permitted shall not exceed the requirement of 110 litres per person per day (as set out in the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan 2019). Written confirmation that this water consumption requirement has been met shall be submitted to and approved in writing by the Local Planning Authority no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district.

This Condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

- 12 The first floor en-suite window, the ground floor study window and the utility room door on the western elevation of the dwelling approved on Plot 1 (shown on 002 Rev A) shall be obscure-glazed and retained as such at all times. No part of any window on the western elevation of the dwelling approved on Plot 1 that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened.

Reason: To prevent overlooking in the interests of the amenity of nearby residents.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and with national guidance contained in Section 12 of the National Planning Policy Framework 2021.

- 13 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 on Plot 1:
- The erection of house enlargements, including rear extensions and conservatories.
 - The erection of roof additions, including dormer windows.

- The erection of freestanding curtilage buildings, including any raised platform/decking.
- The insertion of windows or doors on the western elevation (other than those expressly authorised by this permission).

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of Plot 1, in the interests of residential amenity and character of the area within which it is set.

This Condition is imposed in accordance with Policies 2 and 3 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 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>



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.