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

# TOWN AND COUNTRY PLANNING ACT 1990
# APPROVAL REQUIRED BY CONDITION OF PERMISSION

| | | | |
|---|---|---|---|
| **Reference:** | H09-0782-18 | **Date of Decision:** | 10th December 2018 |
| **Applicant:** | Ashwood Homes<br>Lincs Gateway Business Park<br>1 Goodison Road<br>Spalding<br>Lincs<br>PE12 6FY | | |
| **Location:** | Land Off Hallgate/ Fen Road Holbeach Spalding | | |
| **Description:** | Details of Conditions 7, 9, 10, 13, 14, 15, 16, 19, 20, 22, 26, 27, 28, 29, 30, 31 and 36 of H09-0521-14 and Conditions 2 and 3 of H09-0331-17 submitted | | |

**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 are:
Application Form;
Email from Ashwood Homes dated 13 July 2018;
35-SL-01: Site Plan, Northern Part (Phase 1);
5244-LA1 A (Ph 2-3):Landscaping Proposals Rev A May 2018 (Sheet 12 of 19);
5244-LA1 A (Ph 2-3):Landscaping Proposals Rev A may 2018 (Sheet 13 of 19);
35-BARR-101;
35-A902-100;
91-AVON-100;
35-BAIN-100;

35-A732-100;
35-HARR-100;
35-HUNT-100;
35-MED-100;
35-OUSE-100;
35-SPAR-100;
35-CORO-101;
35-TAM-100;
35-MERE-100;
35-LOCK-100;
35-HUMB-100;
35-THAM-100;
35-WELL-100
Mitras Brown Recessed Gas Meter Box Product Profile & Specification;
Play Equipment details;
1805.19384 (Holbeach/MeadowsLEAP_AshwoodHomes);
RBA8 - Chaumont Bench;
Litter Bin RC01;
Proludic Ltd letter of 17 May 2018 to Ashwood Homes - quote for Holbeach Meadows Leap;
35-MCCP-01 Management Company Conveyance Plan;
Framework Travel Plan Doc Ref: AH-1342-01-TP-01 by Inspire Design & Development, March 2018;
Phase 1 Travel Plan Doc Ref: AH-1342-02-TP-01 by Inspire Design & Development, March 2018;
35-CSP-01 Cycle Storage;
CMP-01 Construction Management Plan;
Surface Water Drainage Strategy Ref: MA10602-DS-R01, September 2017;
Proposed External Levels Plans: MA10602/600-1A; MA10602/600-3A; MA10602/600-4A; MA10602/600-5A; MA10602/600-6A; MA10602/600-7A;
Flood Risk Assessment by BSP Consulting, FRA Rev B dated 10 July 2014;
Proposed External Levels Plan: MA10602 - A- 600-2 B;
Proposed Drainage Layout Plans: MA10602 - A- 200-1D; MA10602 - A- 200-3; MA10602 - A- 200-4A; MA10602 - A- 200-5; MA10602 - A- 200-6; MA10602 - A- 200-7; MA10602 - A- 200-8;
Roundabout Proposed Drainage Layout: MA10602 - A - 200-2;
Email from Ashwood Homes dated 9 October 2018;
Written scheme of investigation for archaeological excavation and plan v2 by APS dated August 2018.

The applicant is reminded that the areas of archaeological interest, including the area of preservation in situ, must be "fenced off to protect the buried remains until they can examined archaeologically" stated in section 8.2.1 on page 4 of the Written scheme of investigation for archaeological excavation.

Therefore, failure to fence this area, any tracking across it with machines, using it to store spoil, or install services would represent a breach of the planning condition to adhere to this agreed written scheme.



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 | | |

## 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.