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TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL REQUIRED BY CONDITION OF PERMISSION

Reference: H09-0818-18 **Date of Decision:** 28th January 2019
Applicant: Jelson Ltd
370 Loughborough Road
Leicester
LE4 5PR

Location: Northons Lane Holbeach

Description: Details of boundary treatment/materials, contamination, management plan, existing and proposed levels and surface water drainage (Conditions 5, 6, 8, 10 and 16 of H09-0844-14), and conditions 5 and 7 of the Reserved Matters approval H09-0562-17 (Drainage).

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 details are:

Exploratory Hole Location Plan G16331-IR-02
HOL.800.01 Rev A
HOL01.200 Rev A
Soft Landscaping Specification
HOL-500.01
TNA 475 01

Ground Investigation Report
Application Form
Gas Assessment

The drainage details as set out in the email from Rob Thorley dated 22/11/2018 including:
Engineering Layout Revision A
Longitudinal Sections
Letter from Anglian Water
Surface Water/Waste Water Pump Specifications
Attenuation Tank Diagrams and Specification
Foul Calculations

This approval of Conditions is on the basis of the confirmation that the on-site telemetry will notify the management company and faults will be sorted out within 24 hours as set out in the email from Sam Maitland on the 18th January 2019.

The brick materials are as set out in the email from Rob Thorley dated 03/12/2018.

The drainage details are as set out in the email from Rob Thorley dated 22/11/2018.

Condition 9 of H09-0844-14 cannot be discharged at this time as the relevant Indemnity Documents have not been agreed between the parties, therefore the following condition still requires discharging:

Details of the means of storage and disposal of refuse shall be submitted to and be approved by the Local Planning Authority and the development shall not commence in advance of that approval. The approved scheme shall be fully implemented before any of the dwellings are occupied and shall thereafter be 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 of the appearance of the site and the area within which it is set.

This Condition is imposed in accordance with Policies SG13 and SG17 of the South Holland Local Plan 2006.



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 Authority 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.