Ashley King (Developments) Ltd.
1 Goodison Road
Lincs Gateway Business Park
Spalding
PE12 6FY

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
SECTION 73A CONTINUATION

Reference: H09-1031-22 **Date of Decision:** 11th March 2024

Applicant: Ashley King (Developments) Ltd.
1 Goodison Road
Lincs Gateway Business Park
Spalding
PE12 6FY

Location: Holbeach Meadows Hallgate Holbeach Spalding

Description: Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14) - approved under H09-0331-17. Modification of Condition 1 to allow amendments to previously approved plans.

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 carried out in accordance with the following approved plans and/or documents:

H09-1031-22

Application Form
Phasing Plan 35-PP-001 Rev A
DEE-001
HUNTINGDON-001
LOCK-001
SEVERN-002
SEVERN-001

SPARTA-001
AVON-001
CLYDE-001
CORONATION-001
135-BT-01- Rev C
135-CSP-01 Rev A
135-OL-01 Rev A
135-LP-01 Rev A
135-SL-01 Rev F
135-PV-01 Rev A
Ribble - 001 -183
135-MSL-01 Rev F
Holland- 001-A
135-EV-001 Rev B

H09-0782-18

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,

DC_FINAL_DECISION - ODB:14

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;
Proposed External Levels Plan: MA10602 - A- 600-2 B;
Flood Risk Assessment by BSP Consulting, FRA Rev B dated 10 July 2014;
Proposed Drainage Layout Plans:
MA10602 -A-200-8;
MA10602 - A- 200-7;
MA10602 - A- 200-6;
MA10602 - A- 200-5;
MA10602 - A- 200-4A;
MA10602 - A- 200-3;
MA10602 - A- 200-1D;
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, submitted under reference H09-0521-14 but discharged under reference H09-0782-18.

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.

H09-0331-17

Application Form;
Drwg No 50;
5244 51 Masterplan
Development Brief;
5244/52-01A;
5244/52-02A;
5244/53-01A;
5244/53-02A;
5244 60 Phasing Plan;
5244 54-01;
5244 54-02;
5244 54-03;

DC_FINAL_DECISION - ODB:14

5244 54-04;
5244 54-05;
5244 54-06;
5244 54-07;
5244 54-08;
5244/55-01A;
5244/55-02A;
5244/56-01A;
5244/56-02A;
5244 57-01 Street Elevations;
5244 57-02 Street Elevations;
5244/58-01A;
5244/58-02A;
5244/59-01A;
5244/59-02A;
Landscaping Plan Ph2-09;
Landscaping Plan Ph2-08;
Landscaping Plan Ph2-07;
Landscaping Plan Ph2-06;
Landscaping Plan Ph2-05;
Landscaping Plan Ph2-04;
Landscaping Plan Ph2-03;
Landscaping Plan Ph2-02;
Landscaping Plan Ph2-01;
Landscaping Plan Ph1-10;
Landscaping Plan Ph1-08;
Landscaping Plan Ph1-07;
Landscaping Plan Ph1-09;
Landscaping Plan Ph1-06;
Landscaping Plan Ph1-05;
Landscaping Plan Ph1-04;
Landscaping Plan Ph1-03;
Landscaping Plan Ph1-02;
Landscaping Plan Ph1-01;
Landscaping Schedule;
Land Contamination Assessment;
Land Contamination Assessment Appendices 1-3;
Land Contamination Assessment Appendix 4;
Land Contamination Assessment Appendices 5-7;
Land Contamination Assessment Appendices 8 & 9;
Document: MA10602-DS-R02 - Amendment 2;
Dwg.no. MA10602-800-Rev A - Amendment 2.

2 Notwithstanding the landscaping details as approved on 10th December 2018 under reference H09-0782-18, the existing planting to the Hall Gate frontage of the site shall be retained and maintained in perpetuity in accordance with the agreed details.

Reason: In the interests of biodiversity and in order to accord with the sustainability and environmental principles enshrined within the National Planning Policy Framework, December 2023.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

3 The management of all areas of public open space shall be carried out in accordance with the approved details and management plan (condition compliance approval H09-0782-18) approved on 10 December 2018 in perpetuity.

Reason: To ensure that the landscaped areas are properly managed and maintained, in the interests of the visual amenity of the site 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 Lincolnshire Local Plan 2019.

4 Each phase of the development hereby approved shall only be carried out in accordance with the approved Flood Risk Assessment reference 13401 Rev B. In particular, finished floor levels shall be set not lower than 3.3 metres above Ordnance Datum (AOD) with flood resilience measures incorporated to 3.78m AOD in accordance with the approved details in condition compliance approval H09-0782-18 approved on 10 December 2018.

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason: To reduce the risk and impact of flooding on the proposed development and future occupants.
This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019.

Notes:

This application is subject to a Modified Section 106 Agreement dated 28 February 2024 in accordance with the application and details submitted under s106A of the Town and Country Planning Act 1990 and can only be implemented as consequence of meeting the provisions of that Agreement.

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
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.