LNT Construction
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Garforth
Leeds
LS25 2DY

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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference:	H09-1172-20	**Date of Decision:**	28th April 2021
Applicant:	LNT Care Developments Helios 47 Isabella Road Garforth Leeds LS25 2DY		
Location:	Daisy Road Holbeach		
Description:	Erection of a 66 bed two storey care home for the elderly with access, car parking and associated works.		

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

1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

Application form
Design and Access Statement. December 2020
Planning Statement. December 2020
Drainage Strategy by bsp consulting. Project Number: 20-0650. BIM Reference: HOLM-BSP-ZZ-XX-RP-C-0002-P01_Drainage_Strategy. 16 December 2020
Sustainability & Energy Statement. December 2020

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Geoenvironmental Appraisal. November 2020. 7092/1
Flood Risk Assessment & Drainage Strategy by bsp consulting. Project Number: 20-0650. BIM Reference: HOLM-BSP-ZZ-XX-RP-C-0001-P01_Flood_Risk_Assessment. 13 November 2020
Preliminary Ecological Appraisal Report Dated 20/01/2021. ER-5159-01
Biodiversity Metric Spreadsheet
PE12 7HZ-A-01
PE12 7HZ-A-02
PE12 7HZ-A-03A
PE12 7HZ-A-04
PE12 7HZ-A-05
HOLM-BSP-ZZ-ZZ-DR-C-0240 P01
PE12 7HZ-A-05.1
PE12 7HZ-A-05.2
PE12 7HZ-A-05.3

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

3 No development shall take place beyond oversite until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development.

The Construction Management Plan and Method Statement shall include;

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: 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 and to ensure that suitable traffic routes are agreed.

This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2019.

4 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (Flood Risk Assessment & Drainage Strategy by

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bsp consulting. Project Number: 20-0650. BIM Reference: HOLM-BSP-ZZ-XX-RP-C-0001-P01_Flood_Risk_Assessment. 13 November 2020) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

- Finished floor levels shall be set no lower than 3.63 metres above Ordnance Datum (AOD)
- The development shall have at least two storeys
- The care home should register to receive automated warnings in times of heightened flood risk. It is recommended that the prospective occupants are advised to register to receive flood warnings from the EA.

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, 2019.

5 Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

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.

6 No development shall take place beyond oversite until, in accordance with the recommendations of the Preliminary Ecological Appraisal Report, Report Reference: ER-5159-01, a Biodiversity Management Plan is submitted to and approved by the Local Planning Authority.

The findings and recommendations of the approved Biodiversity Management Plan shall be undertaken and maintained in accordance with the Biodiversity Management Plan.

NOTE: The site has been assessed as having an Ecological Baseline score of 0.87 Habitat Units. Proposals will need to consider the NPPF hierarchy of Avoid - Mitigate - Compensate in minimising any loss of biodiversity.

Reason: To ensure that the development provides a net increase in biodiversity on the site, minimises any loss of biodiversity and to specify in detail how the development will cater for biodiversity on site and to show how habitats will be maintained in the condition that the Biodiversity Calculations were based on.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2019.

7 The water consumption of the dwellings hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each 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.

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

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact vehiclecrossings@lincolnshire.gov.uk

The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

This planning permission is subject to a Unilateral Agreement under Section 106 of the Town & Country Planning Act 1990 dated 21 April 2021 and can only be implemented as a consequence of meeting the provisions of that Agreement.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.

Therefore the site layout should take this into account and accommodate those assets

within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

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Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.



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		

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.