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Spalding Lincs
PE12 7EE

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H09-1196-16 **Date of Decision:** 8th March 2017

Applicant: D Brown Building Contractors Ltd
Seas End Road
Moulton Seas End
Spalding
Lincs
PE12 6LD

Location: 34 Fen Road Holbeach Spalding

Description: Residential development

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:

Drw No2920-16-09C
Drw No 2920-16 03A Plot 1
Drw No 2920-16 04B Plot 2
Drw No 2920-16 05A Plot 3
Drw No 2920-16 06B Plot 4
Drw No 2920-16 07C Plot 5

Drw No 2920-16 08B Plot 6
Drw No 2920-16 10 Garages
Drw No 2920-16-01
External Material Schedule (Nov 2016)

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

3 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment submitted with the application and in particular the following mitigation measures:

- Finished floor levels of all single storey dwellings shall be set at 500mm above existing ground levels:
- Finished floor levels of all two storey dwellings shall be set at 300mm above existing ground levels;
- Flood resilient and resistant construction measures shall be incorporated into all the dwellings.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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 national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

4 The boundary treatment details shall be implemented in full in accordance with plan 2920-16-09C before the development is first brought into use.

Reason: 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 Policy SG14 of the South Holland Local Plan 2006

5 Details of the means of storage and disposal of refuse shall be submitted to and be approved in writing by the Local Planning Authority and the development shall not be occupied in advance of that approval. The approved scheme shall be fully implemented before the occupation of any dwellings and shall thereafter be retained.

Reason:The details submitted within the application do not give adequate detail to determine this issue fully. 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.

6 The arrangements shown on the approved plan 2920-16-09C dated October 2016 for the parking/turning/maneuvering/loading/unloading of vehicles shall be available at all times

when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Fen Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.
This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

7 Prior to any of the buildings being occupied the private drive shall be completed in accordance with the details shown on drawing number 2920-16-09C dated October 2016.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.
This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

8 The development hereby permitted shall be constructed using the materials as set out in the submitted Materials Schedule by GR merchant dated November 2016.

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 Policy SG14 of the South Holland Local Plan, 2006.

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 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

Your attention is drawn to the letter from South Holland Internal Drainage Board dated 22 February 2017. You are advised of the need to comply with the requirements of the Drainage Board, which are covered by their own Bye-laws. You are further advised that any future amendments to this application and/or compliance with Conditions must also respect those Bye-laws. Please contact the Drainage Board directly for further information.

Should unexpected contamination be discovered on the site at any time, the applicant is advised to contact the District Councils Environmental Protection department immediately



Paul Jackson
Place 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.