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

# TOWN AND COUNTRY PLANNING ACT 1990

## FULL

**Reference:** H09-1237-18 **Date of Decision:** 5th February 2019

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

**Location:** Plots 72, 73 And 73a Holbeach Meadows Off Hallgate Holbeach Spalding

**Description:** Erection of 3 dwellings with associated garaging

## 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:
Application form
Planning Layout Plots 72, 73, 73A. 35-PL-01
Floor Plans and Elevations. 35-RIBB-100
Floor Plans and Elevations. 35-AVON-100
Site Sections A-A & B-B. 35-SS-01

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

3 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 Policy SG14 of the South Holland Local Plan, 2006.

4 Before the commencement of the development hereby permitted beyond oversite, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan, 2006.

5 No occupation of the development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the District Council as local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

a) a timetable for its implementation, and
b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: In the interests of sustainability, in order to ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding. This condition is imposed in accordance with Policies SG11 and SG13 of the South Holland Local Plan 2006 and in accordance with the overall thrust of guidance contained in the National Planning Policy Framework, March 2018.

6 No occupation of the development shall take place until a detailed surface water strategy is sought. The strategy shall demonstrate how the management of water within the site is

sought accords with the approved details of the strategic site wide surface water strategy. The strategy shall be based upon a SUDS hierarchy and shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body. If source control infiltration SUDS methods are demonstrated to be impracticable or only party feasible the strategy shall promote other measures such as swales, surface water retention ponds, wetlands or other surface water retention measures to promote infiltration and mimic as far as possible existing natural greenfield run-off patterns (rates and volumes). The strategy shall include details of all flow control systems and the design, location and capacity of all such SUDS features and shall include ownership, long-term adoption, management and maintenance schemes and monitoring arrangements/ responsibilities, including detailed calculations to demonstrate the capacity of receiving on-site strategic water retention features without the risk of flooding to land or buildings. The development shall be carried out in accordance with the approved details and no building pursuant to the approved details al is being sought shall be occupied or used until such time as the approved detailed surface water measures have been fully completed in accordance with the approved details.

Reason: To promote a sustainable water management regime and water quality control measures and to ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of this site. This condition is imposed in accordance with Policies SG11 and SG13 of the South Holland Local Plan 2006 and in accordance with the overall thrust of guidance contained in the National Planning Policy Framework, March 2018.

7 No development shall take place beyond oversite before the detailed design of the arrangements for surface water drainage for the development has been agreed in writing by the Local Planning Authority and no dwelling shall be occupied before it is connected to the agreed drainage system.

Reason: To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of this site. This condition is imposed in accordance with Policies SG11 and SG13 of the South Holland Local Plan 2006 and in accordance with the overall thrust of guidance contained in the National Planning Policy Framework, March 2018.

8 The finished floor levels shall be in accordance with approved plan Site Sections A-A & B-B. 35-SS-01.

Reason: To reduce the risk and impact of flooding on the proposed development and future occupants. This Condition is imposed in order to militate against the risk of flooding in accordance with the provisions of Policies SG1, SG11, SG12 and SG14 of the South Holland Local Plan 2006 and in accordance with the overall thrust of guidance contained in the National Planning Policy Framework, March 2018.

9 Before each dwelling is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing or proposed public highway, shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed prior to occupation of the

penultimate dwelling.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety. This Condition is imposed in accordance with the provisions of Policy SG14 of the South Holland Local Plan 2006, and in accordance with the overall thrust of guidance contained in the National Planning Policy Framework, March 2018.

10 No dwelling permitted in any phase of the development hereby permitted shall be occupied until provision for a secure area for the storage of at least one bicycle has been provided in accordance with details which shall first be submitted to and agreed in writing by the District Council as local planning authority.

Reason: To establish and promote cycling as an alternative and healthy form of transport and to deliver storage facilities for cycles within the site in the interests of promoting a sustainable urban extension. This Condition is imposed in the interests of sustainability in order to promote modal split and a change in behavioural patterns in accordance with Policies SG1 and SG14 of the South Holland Local Plan 2006 and in accordance with the overall thrust of guidance contained in the National Planning Policy Framework, March 2018.

11 All external boxes for gas and electricity supplies shall be Mitras Brown Recessed Meter Boxes G01134 and M01126, and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details 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 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



**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.