Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764723
DC Officers 01775 764703
facsimile 01775 762937
planningadvice@sholland.gov.uk
www.sholland.gov.uk

Mr Tony Wright
Rosemary Cottage
Welton Cliff
Lincoln
LN2 3PY

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H09-1269-18 **Date of Decision:** 13th May 2019

Applicant: K Martin & Son Ltd
The Chilterns
Roman Bank
Holbeach Bank
Spalding Lincs
PE12 8BX

Location: Old Brickyard Farm Peartree House Road Penny Hill Holbeach

Description: Use of site to house 6 static caravans for temporary living accommodation for seasonal agricultural workers - retrospective

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

1 The static caravans and any ancillary structures shall be removed from the site at or before 5 years from the date of this permission.

Reason: Permission has been granted on grounds of an essential agricultural need. Also, the static caravans are of a temporary nature and by reason of their materials may become dilapidated and cause injury to the amenities of the locality. A temporary permission enables the Local Planning Authority to review the situation with regard to these issues.
This Condition is imposed in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan;
Block Plan;

Flood Risk Assessment (ref. H09-1269-18).

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

3 The static caravans shall only be occupied by seasonal workers employed in agricultural/horticultural operations on land within the control of the applicant. The applicant shall maintain occupancy records of the static caravans, which shall be made available for inspection by the Local Planning Authority at any time.

Reason: To prevent the static caravans being used as permanent unrestricted residential accommodation.
This Condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

4 The occupancy period of the static caravans hereby permitted shall be restricted to between the 1st April and 31 October (inclusive) in any one year.

Reason: To define the terms of the permission and also to reduce the risk of loss of life during a possible flood event.
This Condition is imposed in accordance with Policies 1 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 The development hereby permitted shall be carried out in general accordance with the approved Flood Risk Assessment plus the following mitigation measures:
- Finished floor levels of the static caravans shall be set at 500mm above surrounding ground levels;
- The static caravans shall be secured to the ground using an adequate mechanism such as chains and/or ground anchors.

Note: Future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

Reason:To reduce the risk of flooding to the proposed development and future occupants.
This Condition is imposed in accordance with national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

6 Within 1 month of the date of this permission full details of the disposal of foul and surface water from the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be fully implemented in accordance with the approved details within 3 months of the approval date.

Reason: To ensure that satisfactory foul and surface water drainage facilities are provided on site, in the interest of the amenities of the locality.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

7 Within 1 month of the date of this permission full details of improvements to the site's existing main vehicular access to Peartree House Road shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in their entirety in accordance with the approved details within 6 months of the approval date.

Note: The works should include at least a 1 metre wide buffer strip of bound material inside the private curtilage to help prevent overspill of unbound material onto the public highway.

Reason: To ensure satisfactory vehicular access to the site in the interest of highway safety.
This Condition is imposed in accordance with Policy 2 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

You are reminded that a Caravan Site License is required under Section 5 of the Caravan Sites and Control of Development Act, 1960.



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.