

HB Projects Ltd.
Merrydale House
Roydsdale Way
Bradford
BD4 6SE

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

FULL

Reference:	H10-0664-22	Date of Decision:	20th October 2022
Applicant:	Princes Ltd. Bridge Road Long Sutton Spalding PE12 9EQ		
Location:	Princes Limited Bridge Road Long Sutton Spalding		
Description:	Replace damaged chain-link fence with matching palisade, install protective splash screen and bund wall adjacent to existing tanks. Formation of a lagoon and associated drainage arrangements.		

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 documents:

Application Form
Dry Basin Management Statement. HB PROJECTS. P22-3798-HBP-XX-RP-Z-0001_MgtStatement Rev 03. 16/09/22
Construction Management Plan. HB PROJECTS. P22-3798-HBP-XX-RP-Z-0002_CMP Rev 02. 26/08/22
P22-3798-90-102 PL-E
P22-3798-90-101 PL-G
7572-HBPW-00-ZZ-DR-C-2000 P01
P22-3798-21-101 PL-F
7572-HBPW-00-ZZ-DR-C-0001 P06
7572-HBPW-00-ZZ-DR-C-0003 P04
7572-HBPW-00-ZZ-DR-C-2008 P01
7572-HBPW-00-ZZ-DR-C-2007 C01

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

- 2 The development hereby permitted shall be undertaken in accordance with approved Construction Management Plan. HB PROJECTS. P22-3798-HBP-XX-RP-Z-0002_CMP Rev 02. 26/08/22.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately controlled during construction without creating or increasing noise disturbance, disturbance due to a decrease in air quality, flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

- 3 The development shall be operated in accordance with the Dry Basin Management Statement. HB PROJECTS. P22-3798-HBP-XX-RP-Z-0001_MgtStatement Rev 03. 16/09/22.

Reason: To ensure that the site is adequately drained, to avoid pollution to the ground water or water courses, and to prevent increased risk of flooding.

This Condition is imposed in accordance with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

- 4 During the construction of the development no tree or shrub felling, lopping or clearance shall take place between mid-February and the end of July.

Reason: To ensure that birds and their nests are protected during the nesting season.

This Condition is imposed in accordance with national guidance contained in Section 15 of the National Planning Policy Framework, 2021.

Notes:

Under the Wildlife and Countryside Act 1981 (as amended) all birds, their nests and eggs are protected by law and it is an offence to damage or destroy the nest of any wild bird while it is in use or being built. In the event of query please contact Natural England on Tel: 03000 603900.

ENVIRONMENT AGENCY INFORMATIVE

The plans have been reviewed and agreed under the Environmental Permitting Regulations (EPR) by our Regulatory Officers, in order to provide adequate secondary containment to the site.

The applicant must ensure that the permitted site boundary, which is within the existing EPR permit, includes the proposed lagoon area. If not, the permit will require a variation. The applicant is also advised to ensure that measures must be taken to minimise noise

and dust affecting sensitive receptors during construction.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact the Environment Agency.

ANGLIAN WATER NOTES

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.

The foul drainage from this development is in the catchment of N/A Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity.

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		

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@planninginspectorate.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.