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Lincs Design Consultancy Ltd
12 Vickers Lane
Louth
Lincolnshire
LN11 9PJ

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73 MODIFICATION

Reference: H11-1047-23 **Date of Decision:** 1st May 2024

Applicant: Loosegate Developments (Long Sutton) Ltd
C/O Lincs Design Consultancy Ltd
12 Vickers Lane
Louth
Lincolnshire
LN11 9PJ

Location: Land Between Seagate Rd & B1359 Wisbech Rd Long Sutton Spalding Lincolnshire

Description: Erection of 171 dwellings and associated works - approved under H11-1346-21. Modification of Condition 1 to allow amendments to previously approved plans

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:

H11-1047-23

Application Form
LDC-3699-PL-60A
Covering Letter by Lincs Design Consultancy reference LDC3699 dated 24th November 2023
LDC3699-PL-02 T
Plot Schedule
LDC-3699-PL-68
LDC-3699-PL-55 A
LDC-3699-PL-07 C
LDC-3699-PL-58 H

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LDC3699-PL-59 D
Email from Lincs Design Consultancy dated 30th April 2024 relating to materials.

H11-0935-23

LDC-3699-PL-03A
LDC-3699-PL-05A
LDC-3699-PL-06A
LDC-3699-PL-08B
LDC-3699-PL-09B
LDC-3699-PL-10B
LDC-3699-PL-11B
LDC-3699-PL-12B
LDC-3699-PL-13A
LDC-3699-PL-14A
LDC-3699-PL-16A
LDC-3699-PL-17A
LDC-3699-PL-18A
LDC-3699-PL-19A
LDC-3699-PL-20A
LDC-3699-PL-21A
LDC-3699-PL-22A
LDC-3699-PL-23A
LDC-3699-PL-24A
LDC-3699-PL-25B
LDC-3699-PL-26A
LDC-3699-PL-27A
LDC-3699-PL-28A
LDC-3699-PL-29A
LDC-3699-PL-30A
LDC-3699-PL-31A
LDC-3699-PL-32A
LDC-3699-PL-33A
LDC-3699-PL-34A
LDC-3699-PL-35A
LDC-3699-PL-36A
LDC-3699-PL-37A
LDC-3699-PL-38A
LDC-3699-PL-40A
LDC-3699-PL-41A
LDC-3699-PL-42A
LDC-3699-PL-43A
LDC-3699-PL-44A
LDC-3699-PL-45A
LDC-3699-PL-46A
LDC-3699-PL-48A
LDC-3699-PL-49A
LDC-3699-PL-50B
LDC-3699-PL-51B
LDC-3699-PL-52A

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LDC-3699-PL-53A
LDC-3699-PL-54A
LDC-3699-PL-56A
LDC-3699-PL-62A
LDC-3699-PL-63A
LDC-3699-PL-65A
Covering Letter from Lincs Design Consultancy dated 18 October 2023

H11-1346-21

LDC-3699-PL-64
Flood Risk Assessment (prepared by Lincs Design Consultancy, dated 9th December 2021)
Foul & Surface Water Drainage Strategy (prepared by Sidebottom Richardson Cheng Ltd, dated 2nd February 2022)
Integrated Planning Statement Inc. Affordable Housing Statement, Heritage Statement and Open Space Assessment (prepared by Lincs Design Consultancy)
LDC-3699-PL-57

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

2 Noise from fixed plant and machinery shall not exceed a level of 5 dB(A) above the background noise level when measured as a L(A)eq15min at any residential boundary not within the applicant's ownership.

Reason: To ensure that there is no noise nuisance to nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

3 Prior to the occupation of Plots 96 - 102, gates shall be installed to the rear of Plot 96 (extending from the north-western corner of the plot) and rear of Plot 102 (extending from the north-eastern corner of the plot) to prevent pedestrian access to the rear of these properties. The gated accesses shall be used for maintenance purposes only and at no time shall be used for recreational purposes, including (but not limited to) activities such as dog walking or general walking.

Reason: In the interests of residential amenity and security.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4 The management and maintenance schedule for the areas of landscaping, internal open space, drainage features, refuse/recycling collection points and parking courts/private drives shall be in accordance with LDC-3699-PL-58 H and LDC3699-PL-59 D and retained thereafter.

Reason: To ensure that adequate provision is made for the management and maintenance of those areas.
This Condition is imposed in accordance with Policies 2, 3 and 30 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 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

This planning permission is subject to Agreements under Section 106 of the Town & Country Planning Act 1990 dated 26th September 2019 as varied by Agreement dated 9th March 2022 and can only be implemented as a consequence of meeting the provisions of those Agreements.

Your attention is drawn to the letter from the South Holland Internal Drainage Board dated 21st December 2023. 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.



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
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		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

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.