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Border Oak Design & Construction Ltd
Kingsland Sawmills
Leominster
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HR6 9SF

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H11-1114-15 **Date of Decision:** 25th January 2016

Applicant: Mr & Mrs V Day
Cosy Corner
Low Gate Road
Tydd St Mary
Wisbech Cambs
PE11 5QP

Location: Rear Of 29 Woad Lane Long Sutton Spalding

Description: Proposed new self build dwelling and ancillary annexe

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:
1:1250 location plan;
Dwg. Nos. 1528.1D, 1528.2A, 1528.3A, 1528.4A, 1528.5 and 1528.6;
Flood Risk Assessment (Ref. GCB/Status Design) dated June 2014;
Protected Species Report prepared by Andrew Chick dated June 2014;
Soil Investigation Report (Ref. C13466) dated January 2015.

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 full 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 Other than those trees shown to be removed none of the existing trees within the area outlined in red and blue on dwg. no. 1528.1D shall be cut down, up-rooted, destroyed, topped, lopped or pruned.

Reason:To ensure the protection of existing trees, in the interest of the visual amenities of the locality and also biodiversity.
This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006 and national guidance contained in Section 11 of the National Planning Policy Framework, 2012.

5 Before the commencement of the development hereby permitted beyond oversite full details of hedge planting along the western boundary of the site, including details of positions, heights on planting and species, shall be submitted to and approved in writing by the Local Planning Authority. 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 hedging 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.

Reason: To ensure that the development includes boundary hedge planting, in the interest of the amenities of the locality.
This Condition is imposed in accordance with Policies SG14, SG17 and SG18 of the South Holland Local Plan, 2006.

6 Before the dwelling is occupied 2 metre high close boarded fencing shall be erected along the western boundary of the site in accordance with details shown on dwg. no. 1528.1D and thereafter retained in its entirety.

Reason: To protect the amenity of neighbouring residents.
This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan, 2006.

7 The development hereby permitted shall be carried out in accordance with the following flood mitigation measures:
i) Finished floor levels shall be set 500mm above existing ground level;
ii) The building shall be designed to incorporate flood resistant/resilient measures and construction techniques, including 600mm demountable flood barriers on doorways;
iii) The eventual occupiers shall sign on to the Environment Agency's Floodline Warnings

Direct Service.
The flood mitigation measures shall be provided in accordance with the approved details prior to the development hereby permitted being brought into use.

Reason: To ensure that the risk of flooding to the development and future occupants is mitigated whilst ensuring that the dwelling has a satisfactory relationship with existing development.
This Condition is imposed in accordance with Policies SG14 and SG17 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

8 The development hereby permitted shall be carried out in accordance with the recommendations set out in the Protected Species Survey forming part of this planning application.

Reason: In the interest of nature conservation.
This Condition is imposed in accordance with advice within Section 11 of the National Planning Policy Framework, 2012.

9 The development hereby permitted shall not be commenced until the remediation measures within the Site Investigation Report have been fully implemented and a copy of a full closure report has been submitted to and approved in writing by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To address any pollution and to ensure a satisfactory development.
This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

10 No additional openings shall be formed on the western elevation of the building other than those shown on the approved drawings. No rooflights on the western elevation shall be installed below 1.7 metres above the floor of the room in which the window is installed, and shall be retained as such thereafter.
Reason: To protect the privacy of neighbouring residents.
This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan, 2006.

11 Any gates to the vehicular access shall be set back a minimum of 5.0 metres from the nearside edge of the carriageway of Woad Lane and shall not open over the highway.

Reason: To enable calling vehicles to wait clear of the carriageway of Woad Lane in the interests of highway safety.
This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

12 The minimum width of the access shall be 4.1 metres.

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 Policies SG14 and SG15 of the South

Holland Local Plan, 2006.

13 The annexe shall be and shall remain incidental to the use of the associated dwelling hereby permitted, shall not be sold or let off separately, and shall be used only by members of the family of the occupier of that dwelling.

Reason: The Local Planning Authority consider that the proposed annexe would be inappropriate for occupation independent of the main dwelling by virtue of the physical relationship between the annexe and the main house which would create inadequate levels of residential amenity for the occupiers of both.
This Condition is imposed in accordance with Policy SG17 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



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.