

Mr David & Mrs Jackie Bibby
Rylton House
Mill Lane
Sutton Bridge
Spalding Lincs
PE12 9UE

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

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 73A CONTINUATION

Reference: H12-1127-15 **Date of Decision:** 29th February 2016
Applicant: Mr David & Mrs Jackie Bibby
Rylton House
Mill Lane
Sutton Bridge
Spalding Lincs
PE12 9UE
Location: Squirrels Hollow Lutton Bank Lutton Spalding Lincs
Description: Proposed replacement bungalow and double garage - Approved under H12-0424-15. Modification of Conditions 1 and 11 to allow amendments to previously approved plans

South Holland District Council hereby give notice that this application 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:
1:1250 location plan;
1:100 block plan received 6 January 2016;
Proposed site/internal layout plan received 6 January 2016;
Photographs of elevations received 4 January 2016;
Flood Risk Assessment (ref GCB/Bibby, dated September 2012) accompanying planning permission H12-0408-12.

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

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), none of the following developments or alterations shall be carried out over

and above those authorised by this permission:

- i) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
- ii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows;

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity and the visual amenity and character of the area within which it is set.

This Condition is imposed in accordance with Policies HS17 and SG14 of the South Holland Local Plan 2006.

- 3 Within 2 months of the date of this permission, 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 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. 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, unless the Local Planning Authority gives written consent to any variation.

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.

- 4 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (reference GCB/Bibby, dated September 2012) accompanying planning permission ref. H12-0408-12 and the following mitigation measures:
- The occupiers shall sign on to the Environment Agency's Floodline Warnings Direct Service;
 - Identification and provision of safe route(s) into and out of the site to an appropriate safe haven as stated in Section 8.5 of the FRA;
 - Safe refuge shall be provided at first floor level, including a rooflight(s);
 - Flood resilient construction shall be employed to a height of 1 metre above finished floor level;
 - Finished floor levels shall be set 500mm above original ground slab level.
- The mitigation measures shall be fully implemented prior to occupation.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

This Condition is imposed in accordance with advice within Section 10 of the National Planning Policy Framework, March 2012.

- 5 Details of the new roof lights to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The roof lights shall thereafter be

installed in accordance with the approved details before the dwelling is brought into use.

Reason: To ensure a satisfactory form of development in the interests of visual amenity and also flood risk.

This condition is imposed in accordance with Policies HS17 and SG14 of the South Holland Local Plan, 2006 and also advice within Section 10 of the National Planning Policy Framework, March 2012.

- 6 Before the dwelling is brought into use the driveway/parking area shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interest of highway safety.

This condition is imposed in accordance with Policies SG14 and SG15 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>

The development hereby permitted will require the provision of a new vehicular access crossing. Applicants are requested to contact the Local Highway Authority's Divisional Office at Pode Hole - (via call centre Tel: 01522 782070) prior to the commencement of any works within the public highway.



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 Authority 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.