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Bellway EC
Building 2030
Cambourne Business Park
Cambourne
CB23 6DW

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73 MODIFICATION

Reference: H14-0420-22 **Date of Decision:** 15th July 2022

Applicant: Bellway EC
Building 2030
Cambourne Business Park
Cambourne
CB23 6DW

Location: Pinchbeck Fields Off Wardentree Lane Pinchbeck Spalding

Description: Erection of 96 dwellings and associated works - approved under H14-0165-21. Modification of Condition 1 to allow amendments to previously approved plans (relating to a change of brick)

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:

H14-0420-22

Application Form
487-SK-04 I
Photograph of Brick Panel - Dewstow Wren. 01/07/2021
Specification Dewston Wren Facing Bricks 08/02/21
Specification Woolwich Stock Facing Bricks 28/01/21

H14-0165-21

Application form
iDLTD. PLANNING CONDITION & FRA COMPLIANCE REPORT. PO3 February 2021
Design & Access Statement

Strutt & Parker. Planning Statement. February 2021
Preliminary Ecological Appraisal. 11 June 2021. Rev D
Arboricultural Impact Assessment. 11-06-21 - Rev B
461-LP-01
A/218/00/CB/R2/01
487-SK-01 F
487-SK-02 F
487-SK-03 F
487-SK-05 F
487-SK-06 F
487-SK-07 F
487-SK-08 F
487-SK-10 E
487-SK-11 E
A/436/00/CB/R1/01
A/436/00/CB/R4/01
A/802/00/CB/R1/02 G
A/550 & 700/00/CB/02 C
A/550 & 700/00/AT/01 C
A/802/00/AT/01 G
A/921/00/AT/01 J
A/921/00/CB/02 J
A/951/00/AT/01 J
A/951/00/CB/R1/02 J
A/951/00/CB/R2/02 J
A/951/00/CW/R1/02 J
A/951/00/CW/R2/02 J
A/954/00/AT/01 H
A/954/00/CB/02 H
A/954/00/CW/02 H
A/1026PW/00/AT/01 A
A/1026PW/00/CB/02 A
A/1026TI/00/AC/01 C
A/1026TI/00/CB/02 C
A/1059/00/AC/01 M
A/1059/00/CB/02 M
A/1109/00/AC/01 C
A/1109/00/CB/02 C
A/1214/00/AT/01 K
A/1214/00/CB/02 K
A/1288/00/AC/01 G
A/1288/00/CB/02 G
A/1288/00/CW/02 G
BT-2B-2S-CB-E
BT-2B-2S-P1
MN-2B-2S-CB-E
MN-2B-2S-P1
TI-3B-2S-E2-487
1044-00-06 B
1044-00-03 E

DC_FINAL_DECISION - ODB:14

1044-00-05 E
Drainage & Highways Reply to LCC. Document dated 14 May 2021
1044-07-01 B
1044-07-02 B
1044-07-04 A
1044-07-05
1044-03-01 A
1044-00-38 B
1044-00-39 B
GL1486 01 B
GL1486 02 B

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

2 Within seven days of the occupation of the final dwelling hereby approved, the existing access onto Wardentree Lane shall be permanently closed in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: To reduce to a minimum, the number of individual access points to the new residential development, in the interests of road safety.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

3 The cycle storage referred to in paragraphs 3.14 and 3.16 of Strutt and Parker's Planning Statement shall be provided and available for use prior to the first occupation of each dwelling, and remains available for that use thereafter.

Reason: To ensure the provision and retention of cycle storage.
This Condition is imposed in accordance with Policies 2, 3, 36 and APPENDIX 6 of the South East Lincolnshire Local Plan, 2019.

4 The development shall be undertaken in accordance with the recommendations of the Preliminary Ecological Appraisal. 11 June 2021. Rev D, hereby approved, specifically the measures set out in 5.1, Table 11, as described within the report.

The measures to mitigate and enhance the designated sites, habitats, flora, fauna including invertebrates, shall be undertaken and retained in accordance with the recommendations.

Reason: Reason: In the interests of biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2021.

5 In accordance with the recommendations of the Preliminary Ecological Appraisal. 11 June 2021. Rev D, hereby approved, further surveys shall be submitted and approved by the Local Planning Authority prior to the commencement of any works to the Blue Gowt Drain. The works shall be undertaken in accordance with the recommendations of these further surveys.

Reason: In the interests of biodiversity.

DC_FINAL_DECISION - ODB:14

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2021.

6 Three swift nest bricks shall be incorporated within the external walls of the dwellings hereby approved and shall be retained thereafter.

Reason: In the interests of biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2021.

7 Where trees are shown on dwg. nos. GL1486 01 Rev B and GL1486 02 Rev B to be retained on site they shall be protected during construction work as follows:

i)chestnut pale or similar fencing 1.5 metres in height shall be provided around the trees to be retained before development is commenced at a minimum distance from the trunks equal to the spread of the crowns of the trees. No materials, equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made,
ii)no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees to be retained;
iii)no services shall be routed under the spread of the crowns of the trees to be retained;
iv)no retained tree shall be cut down, up-rooted, destroyed, topped or lopped unless first agreed in writing by the Local Planning Authority;
v)if any tree which is to be retained dies or is to be removed it shall be replaced within six months thereafter with a tree of such size and species which shall be first be agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on the site.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2021.

Notes:

Work is to be carried out in accordance with BSI 3998 : 2010, 'Recommendations for Tree Work'.

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

DC_FINAL_DECISION - ODB:14



Phil Norman
Planning 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		

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.