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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H15-1114-21 **Date of Decision:** 10th January 2022

Applicant: Mr C Burdell
Crosskeys Farm
Quadring Bank
Quadring
Spalding
PE11 4RE

Location: Crosskeys Farm Quadring Bank Quadring Spalding

Description: Amendment to existing approved change of use scheme to reconfigure the fishing lake experience by replacing the 12 touring pitches with 6 shepherd huts located around re-designed lake - retrospective

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:

8363 03 A
8363 01
Design and Access Statement

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

2 The shepherds huts hereby approved shall be used for holiday purposes only. In the context of this condition, 'holiday purposes' means that no shepherds hut shall be occupied on a continuous period exceeding 42 days, or for a total of more than 56 days in any calendar year. They shall not be occupied as a person's sole or main place of residence.

Reason: To ensure that the development is restricted to short-term holiday use only and not used for residential purposes. Residential use would be contrary to the provisions of Policy 1 of the South East Lincolnshire Local Plan 2019, which seek to control new residential development in the open countryside.

3 An up-to-date register of the names, main home addresses, visiting dates and length of stay of all persons staying at the site shall be maintained at all times and be available for inspection by the Local Planning Authority at all reasonable times.

Reason: To define the terms of the permission and to prevent the site from being used as permanent residential accommodation, which would be contrary to the provisions of Policy 1 of the South East Lincolnshire Local Plan, 2019, which seek to control new residential development in the countryside.

4 Before the commencement of the development hereby granted beyond oversite, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

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 applicant is advised to produce a Flood Warning and Evacuation Plan and where possible, all short term units to be secured to the ground using an adequate mechanism such as chains and ground anchors and the finished floor level set at a minimum 300mm above ground level.



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.