Broadgate Homes
Broadgate House
Broadgate
Weston Hills
Spalding
PE12 6DB

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TOWN AND COUNTRY PLANNING ACT 1990
RESERVED MATTERS

Reference:	H16-0116-22	**Date of Decision:**	1st December 2022
Applicant:	Broadgate Homes Broadgate House Broadgate Weston Hills Spalding PE12 6DB		
Location:	Site To South West Of Spalding With Access From Broadway To The North & B1172 To The South Spalding		
Description:	Erection of 150 Dwellings - outline approval H16-0571-09		

South Holland District Council hereby give notice that APPROVAL HAS BEEN GRANTED for the details submitted under the terms of the outline permission, subject to any condition(s) set out below:

1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application Form
Design Code - Northern Neighbourhood - dated January 2014 - Document ref: BH.DC.NN.2014
Development Brief & Design Statement - Phase 2 Northern Neighbourhood - dated November 2021 - Document ref: BH.DS.P2.313-462.2021
APS. Written Scheme of Investigation for Archaeological Evaluation. May 2022
Management & Maintenance Plan for the Public Amenity Spaces - Document Ref. 2101-MMP-01 - July 2022
Figure 45 - Play Provision Distribution Plan
Phase 2 Discharging via Proposed Basin at Greenfield Run-Off Rate. 02/SK002
IoH Greenfield Runoff Calculations - Measured Proposed Impermeable Area Only

Micro Drainage MD Calculations - Attenuation Basin. 27/06/2022. Pages 1 to 4
SCHEDULE OF PRIVATE DRIVES. 24th November 2022
2101-RM-P2-LP A
2101-373-374-PL
2101-RM-P2-PL D
2101-RM-PSC
2101-RM-P2-CA
2101-RM-P2-RP
2101-RM-P2-ST
2101-447-PL
2101-338-PL
2101-441-PL
2101-409-PL
2101-413-PL
2101-410-PL
2101-428-05-PL
2101-337-PL
2101-313-314-PL
2101-349-350-PL
2101-322-323-PL
2101-320-321-PL
2101-318-319-PL
2101-448-PL
2101-408-PL
2101-324-325-PL
2101-345-346-PL
2101-430-PL
2101-437-PL
2101-412-PL
2101-382-PL
2101-336-PL
2101-459-P
2101-315-PL
2101-409-PL A
2101-461-PL
2101-422-G-P
2101-315-316-G-P
2101-332-334-G-P
2101-335-336-G-P
2101-444-445-G-P
2101-382-383-G-P
2101-436-437-G-P
2101-338-341-G-P
2101-337-G-P
2101-409-G-P

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

2 Prior to the occupation of any of the dwellings hereby approved, details shall be submitted to, and approved by, the District Council as Local Planning Authority of a bat and bird box

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scheme for the whole of the area included within the application site. The scheme subsequently approved shall be implemented on site either in its entirety, or in phases first agreed in writing by the District Council as Local Planning Authority, prior to the occupation of either the first dwelling or any phase of dwellings subsequently approved in writing.

Reason: In the interests of biodiversity and in order to accord with the sustainability and environmental principles in accordance with Policy 28 of the South East Lincolnshire Local Plan 2019 the National Planning Policy Framework, 2021.

3 To ensure public safety in relation to the balancing pond and other water features on the site as shown within drawing 2101-RM-P2-PL rev D, prior to the occupation of any dwelling, full details of any kick rails, post and rail fencing or similar fencing arrangements and the associated management and maintenance details shall be submitted to and approved in writing by the Local Planning Authority. The approved management arrangements shall be implemented upon first occupation of any dwelling and thereafter retained for the lifetime of the development.

Reason: In the interests of public safety and to ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and the visual amenity of the area. This condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019 the National Planning Policy Framework, 2021.

4 Notwithstanding the submitted information, prior to the occupation of any dwelling, full details outlining the breakdown of land that will be either private, adopted highway, land within a management company or land proposed to be adopted by the District Council shall be submitted to and approved in writing by the Local Planning Authority. This will be accompanied by a breakdown of management arrangements that shall be implemented upon first occupation of any dwelling and thereafter retained for the lifetime of the development.

NB: this shall include the refuse collection points indicated on drawing 2101-RM-P2-PL rev D, which should be directly adjacent the public highway.

Reason: To ensure clarity in respect of how the development will function in terms of management and maintenance of land within the development and in the interests of protecting residential amenity.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

5 The archaeological assessment of the site shall be undertaken in accordance with the APS Written Scheme of Investigation for Archaeological Evaluation dated May 2022. The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2021. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

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This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

6 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 3 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2021.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

7 A copy of the final report required in connection with Condition 3 above shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2021.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

8 No external boxes for gas or electricity suppliers or any gas flues or soil vent pipes shall be positioned on any of the front elevations of any of the developments hereby permitted.

Reason: To accord with the submitted design code and to ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and the visual amenity of the area. This condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019 the National Planning Policy Framework, 2021.

9 The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district.
This Condition is imposed in accordance with Policy 31 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

NOTE TO APPLICANT

Notwithstanding this decision, your attention is drawn to the following:

1. All relevant conditions attached to the outline permission referenced H16-0571-09.

2. Conditions 12 and 13 appended to the Outline consent referenced H16-0571-09. The quantum of affordable housing that has been approved to date falls short of this outline requirement and shall need to be addressed through further phases of development or via the submission of a formal application to vary outline conditions, that would need to be supported by viability evidence that would be independently assessed.

3. The separate Condition Compliance application H16-0958-22 and the associated Section 106 legal agreement.



Phil Norman
Head of Planning
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.