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Spalding
Lincolnshire
PE11 2XE
Admin 01775 764723
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planningadvice@sholland.gov.uk
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Austin John Developments
Rualen
Mill Green Road
Pinchbeck
Spalding Lincs
PE11 3PU

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H16-0291-16 **Date of Decision:** 22nd September 2016

Applicant: Mr G Allmand
3 Bourne Road
Langtoft
Peterborough
Cambs
PE6 9LR

Location: 193 Bourne Road Spalding

Description: Proposed pair of semi-detached houses-approved under H16-0902-15. Modification of Condition 2 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:
AJD1017/15/00A.
AJD1017/15/01 & Flood Risk Assessment (Prepared by S M Hemmings - Received 10 November 2015) accompanying planning application ref: H16-0902-15.
AJD/1017/16/00/CC-A accompanying condition compliance application ref: H16-0156-16.

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

2 The development shall be constructed in accordance with the materials so approved under condition compliance application ref: H16-0156-16 and there shall be no variation from the details 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.

3 Details of the design and positions of all external boxes for gas and electricity supplies shall be in accordance with details approved under condition compliance application ref: H16-0156-16 and there shall be no variation from the details so approved.

Reason: 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 in which it is set.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006.

4 Boundary treatment shall be in accordance with details approved under condition compliance application ref: H16-0156-16 and the details so approved shall be implemented in full before the development is first brought into use.

Reason: 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.

5 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (dated 05 November 2015) and in particular the following mitigation measure:
-Finished floor levels shall be set at 3.00mAOD.
The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

6 The means of foul and surface water disposal shall be in accordance with details approved under condition compliance application ref: H16-0156-16 and the details so approved shall be implemented in full before there are any flows into the receiving systems.

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 SG11, SG12 and SG13 of the South Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

7 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.

i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
ii) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
iii) 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, levels of residential amenity and the visual amenity and character of the area within which it is set.
This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan, 2006.

8 Notwithstanding the details shown on the submitted Block Plan, adequate space shall be provided and be maintained at all times to allow a motor car to be able to turn around within the curtilage of each of the permitted dwellings so that the driver of that vehicle may be able to leave and enter Bourne Road in a forward gear.

Reason: In the interests of highway safety.
This Condition is imposed in accordance with Policy SG15 of the South Holland Local Plan, 2006.

9 The window on the west facing side elevation serving the utility associated with Unit 2 (as indicated on drawing reference AJD1017/15/00A) shall be Level 5 obscure glazed and fitted with a restrictor device to restrict all opening parts to 100mm, unless emergency access is required. The obscure glazing and window restrictor device shall be retained in place at all times for the life of the development.

Reason: In the interest of the residential amenity of the neighbouring property.
This Condition is imposed in accordance with Policies SG14 and 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 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 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.