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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 73A CONTINUATION

Reference: H16-0837-19 **Date of Decision:** 6th November 2019

Applicant: Country Court Care
 Millennium House
 Dukesmead Industrial Estate
 Werrington
 Peterborough Cambs
 PE4 6ZN

Location: Former Goodfellows School Spalding Common Spalding

Description: Proposed care home facility (C2) including new access, car parking areas, amenity space and associated landscaping - approved under H16-0778-18. Modification of Conditions 2 and 11 to allow amendments to previously approved plans and upvc windows and doors in anthracite grey in lieu of timber.

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 and documents:

Application Form
 10 002 A01
 21 008 P00
 21 007 P00

20 001 Rev A02
 First-slight tall Bollard light 10 Watt 806 Lumens, Car park areas
 Cycle Stand Details
 Tree Protection Method Statement. MV Construction
 ENVIRONMENTAL IMPACT PRE-CONTRACT ASSESSMENT. MV Construction

RISK ASSESSMENT Activity: Tree Protection on Site. MV Construction
British Standards 5837:2012 Arboricultural Method Statement and Tree Protection Plan
RSE_1750_01_V1
Silicone Scraped Texture. Colour chart
EuroSeries Roof Mounting Axial Fans
Unreferenced Brick Chart
Aurora Lighting Group. SP029233 EXTERIOR LIGHTING. UKT-988
Crest Roofing Tiles. The Planum
Sternfenster Aluminium Window & Door Guide Section 1 Version 1 - 08.18
Witham Archaeology Historic Building Recording. WA Report No 287 Site Code: SCGS18
OASIS ID: withamar1-336899 December 2018
2015.5563.21A
2015.5563.22
2015.5563.20
Drainage Assessment 2014.5563. Revision B - December 2018
Cycle Store Details. (24)001 P00
Tree Retention and Removal Plan (Siting of bat boxes)
Siting, cleaning and caring for your bat box

20 003 A02

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

- 2 A scheme of landscaping and tree planting shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. 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.

For the avoidance of doubt, the submitted landscaping scheme should observe the recommendations within the submitted Protected Species Report regarding habitat creation.

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 2 of the South East Lincs 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 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>



Phil Norman
Planning and Building Control 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@planninginspectorate.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.