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Broadgate Builders (Spalding)
Broadgate House
Weston Hills
Spalding
Lincs
PE12 6DB

TOWN AND COUNTRY PLANNING ACT 1990

Reference: H16-1145-96 **Date of Decision:** 16th October 1997

Applicant: Broadgate Builders (Spalding)
Broadgate House
Weston Hills
Spalding
Lincs
PE12 6DB

Location: Bourne Road (A151)/Horseshoe Road Spalding Lincs

Description: Residential development including means of access (and position of distributor road) (Renewal of H16/0215/92)

South Holland District Council hereby give notice that this application has been GRANTED (or equivalent) subject to the following condition(s):

1 Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun not later than whichever is the later of the following dates:
(a) the expiration of five years from the date of this permission,
(b) the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990.

2 The following matters are reserved for subsequent written approval by the Local Planning Authority and shall be submitted for such approval simultaneously and no development to which they relate shall be carried out until these matters have been approved viz:
1) Detailed drawings of the estate layout to a scale of not less than

1/500 including road and plot layouts.

2) Detailed drawings to a scale of not less than 1/100 showing the siting, design, and external appearance of the buildings, including particulars of the materials to be used for external walls and roofs.

3) The siting and design of any vehicular access to a highway or estate road.

4) Detailed drawings to a scale of not less than 1/500 of a landscaping scheme showing the following details:

(i) the positions, heights and species of existing trees;

(ii) proposals for felling or retention of existing trees;

(iii) proposals for tree planting, including the number, species, heights on planting and positions of all trees, shrubs and hedgerows;

(iv) proposals for the provision of incidental grass areas or other open spaces, including particulars of the treatment of hard surfaces, and any other features intended to enhance the attractiveness of the environment;

(v) proposals for the provision of screen walls or fences, including details of heights, positions, designs and types of construction.

Such a landscaping scheme as may be approved by the Local Planning Authority shall be carried out in its entirety within a period of two years beginning with the date on which development of the land is commenced. Screen walls and fences included in the approved scheme, together with trees, shrubs and hedgerows which it is proposed to plant within the curtilages of individual dwellings, shall be provided before occupation of the respective dwellings. Trees, shrubs, bushes and hedgerows shall be adequately maintained by the owner(s) of the land on which they are situated for a period of five years beginning with the completion of the scheme, and all losses shall be made good during that period. All walls and fences shall be retained in their approved position. Details of the position and design of any walls or fences to be erected nearer to any highway, public footway or amenity area than the nearest part of each building, other than those shown as part of the approved scheme, shall be submitted to and approved in writing by the Local Planning Authority, and no such walls or fences shall be erected until such details have been approved.

Reason: The application was submitted in outline only, and the above details are required to enable the Local Planning Authority to assess the standard and overall design concept of the proposed development. Implementation of such landscaping scheme as may be approved and restriction of intrusion into open areas is required in the interests of the visual amenities of the estate.

3 The development shall be carried out in accordance with the planning details shown on plan number E10/18.

Reason: To ensure an orderly release of development land in the interests of the property playing of the area.

4 Before any development is commenced the written approval of the Local Planning Authority is required to:
(i) a specification of the type of construction proposed for roads and/ or footways;
(ii) a programme for the making up of the roads and/or footways;
(iii) details of the method and means of disposal of surface water;
(iv) detailed plans to a scale of 1/500 showing the layout of the roads and footways together with longitudinal sections to a scale of 1/500 horizontal and not less than 1/100 vertical showing the gradients of carriageways and full details of surface water drainage proposals. (Cross-sections taken at not more than 30 metres intervals normal to the proposed carriageway plotted to a scale of 1/100 natural will also be required where the adjoining ground levels will vary 0.5 metres plus from the proposed finished footway levels of the estate road);
(v) details of all proposed services showing location within the highway in accordance with the Report of the Joint Committee on the location of underground services published by the Institute of Civil Engineers in 1963.

Reason: To ensure an adequate standard of access to the estate in the interests of local amenity and convenience.

5 No dwelling to which this permission relates shall be commenced unless or until the carriageway basecourse and kerb foundation of the new estate roads onto which it fronts, is adjacent to, or gains access from, has been constructed.

Reason: To ensure that satisfactory access is provided to each building plot, at all times that the development is in progress, in the interests of the proper development of the site.

6 Before any development is commenced the written approval of the Local Planning Authority is required to the detailed design of the scheme to provide for the satisfactory disposal of highway surface water run-off from the development; and such scheme as approved shall be carried out before any dwelling is occupied.

Reason: To ensure that highway surface water run-off from the development will not adversely affect, by reason of flooding, the amenity of nearby land.

7 The development shall accord with the approved Development Brief prepared by the District Council.

Reason: To ensure a satisfactory development.

8 No more that 50% of the area of Phases B and C as shown on drawing number E10/18 shall be developed until the district distributor road from Bourne Road has been constructed to point X on the approved plan. Thereafter no

more than 50% of the area of Phase D shall be commenced until the district distributor road has been extended from point X to connect with Horseshoe Road in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory highway layout.

9 Arrangements shall be made for an archaeologist recognised by the Local Planning Authority to monitor all stages of the development involving ground disturbance in accordance with a scheme to be submitted to and approved in writing by that authority before development is commenced. A report of the archaeologist's findings shall be submitted to the Local Planning Authority within one month of the last day of the watching brief, and shall include arrangements for the conservation of artefacts removed from the site.

Reason: The site is of archaeological interest.

Notes:

This permission does not convey approval, nor infer that subsequent approval will be forthcoming, for the intended road layout and junctions shown on the submitted plan, other than the junction detail shown on drawing no. E/10/6.

This permission is granted in accordance with the application submitted as revised by the amended details (plan no. E/10/7A) received by the Local Planning Authority on 11 June 1993.

The applicants attention is drawn to the conditions relating to the distributor road as per H16/0157/96.



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.