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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference:	H16-1203-22	**Date of Decision:**	25th February 2025
Applicant:	Sea Island Developments (Spalding) Ltd. C/O Dpp Studio 012 Haylofts St Thomas Street Newcastle Upon Tyne NE1 4LE		
Location:	Land Adjacent Roman Bank Spalding		
Description:	Proposed extra care accommodation with associated access, car parking, and landscaping		

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

1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Application Form
4238-JDK-DR-A-1001 - Site Location Plan
4238-JDK-DR-A-1003 Rev 7 - Proposed Site Plan
4238-JDK-DR-A-2001 Rev 5 - Basement and Ground Floor Plan
4238-JDK-DR-A-2002 Rev 1 - First and Second Floor Plan
4238-JDK-DR-A-2003 Rev 1 - Third Floor and Roof Plan
4238-JDK-DR-A-3010 Rev 5 - Proposed Elevations
4238-JDK-DR-A-4001 - Site Sections
1607-2-1 Rev F - Landscape Strategy Plan
P22-311-HYD-XX-XX-DR-C-0110 Rev P02 - Vehicle Tracking
P22-311-HYD-XX-XX-DR-C-1100 Rev P02 - Basement Drainage Layout (Unless otherwise required or approved through another condition of this permission)
P22-311-HYD-XX-XX-DR-C-1000 Rev P03 - Drainage Layout (Unless otherwise required or approved through another condition of this permission)
P22-311-HYD-XX-XX-DR-C-2000 Rev: P02 - Proposed Levels Plan
Statement of Community Involvement. DP/JK/4879NE/R003. November 2022
Planning Statement. DP/LH/4879NE/R001. November 2022
Design and Access Statement. Rev 1 Revised March 2023
Tree Constraints Plan ARB-CP-2989/TCP
Arboricultural Method Statement inc. Impact Assessment. ARB/CP/2989. December 2022
Business Case. EVIDENCE AND INFORMATION IN SUPPORT OF THE DEVELOPMENT OF SPECIALISED SUPPORTED HOUSING FOR OLDER PEOPLE
Noise Impact Assessment. 10241.1 Rev B. 29 April 2024
Transport Statement. 1079.2.TS Rev 2. 17 March 2023
Biodiversity Net Gain Assessment (Version 3) dated 10 March 2023
Ecology Appraisal. 22268 V3. Dated 10 March 2023
Watercourse Survey 22268 V1. 15 September 2023
Flood Risk Sequential & Exception Test - November 2022 DP/LH/4879NE/R002
Flood Risk and Drainage Impact Assessment. P22-311-ZZ-XX-HYD-RP-C-9000 P03. 31 March 2023 (Unless otherwise required or approved through another condition of this permission)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 1-20)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 21-40)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 41-60)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 61-80)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 81-100)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 101-128)

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

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

Application Form

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4238-JDK-DR-A-1001 - Site Location Plan
4238-JDK-DR-A-1003 Rev 7 - Proposed Site Plan
4238-JDK-DR-A-2001 Rev 5 - Basement and Ground Floor Plan
4238-JDK-DR-A-2002 Rev 1 - First and Second Floor Plan
4238-JDK-DR-A-2003 Rev 1 - Third Floor and Roof Plan
4238-JDK-DR-A-3010 Rev 5 - Proposed Elevations
4238-JDK-DR-A-4001 - Site Sections
1607-2-1 Rev F - Landscape Strategy Plan
P22-311-HYD-XX-XX-DR-C-0110 Rev P02 - Vehicle Tracking
P22-311-HYD-XX-XX-DR-C-1100 Rev P02 - Basement Drainage Layout (Unless otherwise required or approved through another condition of this permission)
P22-311-HYD-XX-XX-DR-C-1000 Rev P03 - Drainage Layout (Unless otherwise required or approved through another condition of this permission)
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Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 1-20)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 21-40)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 41-60)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 61-80)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 81-100)
Phase 1 Geo-environmental Assessment dated 17 March 2023. P22-311-3E-XX-XX-RP-G-9000. (pages 101-128)

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

3 Before any development above ground level is commenced, a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

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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 Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

3 Before any development above ground level is commenced, a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials 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 Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4 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), the premises shall be used only as an extra care accommodation (Use Class C2) and for no other purpose (including any other purpose in Class C of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any Order or Statutory Instrument revoking and re-enacting that Order).

Reason: To ensure that the Local Planning Authority retains control over the future use of the premises/site in the interests of its potential occupiers and in order to ensure that the buildings are used for the purposes identified within the application.
This Condition is imposed in accordance with Policies 1, 2, 3 and 6 of the South East Lincolnshire Local Plan, 2019.

4 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), the premises shall be used only as an extra care accommodation (Use Class C2) and for no other purpose (including any other purpose in Class C of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any Order or Statutory Instrument revoking and re-enacting that Order).

Reason: To ensure that the Local Planning Authority retains control over the future use of the premises/site in the interests of its potential occupiers and in order to ensure that the buildings are used for the purposes identified within the application.
This Condition is imposed in accordance with Policies 1, 2, 3 and 6 of the South East Lincolnshire Local Plan, 2019.

5 The development hereby permitted shall not be commenced, with the exception of any site clearance works or works required to gain access (which shall be limited to an extent agreed in writing with the Local Planning Authority), until a scheme to deal with any contamination of land or pollution of controlled waters, has been submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall include all of the following measures unless the Local Planning

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Authority dispenses with any such requirement in writing:

i) As identified as being required following the completion of the Hydrock 3E Phase I Geo-environmental Assessment P22-311-3E-XX-XX-RP-G-9000 dated 17 March 2023, an exploratory site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed end use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.

ii) Thereafter, a written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the LPA. This shall include details of the proposed verification plan including compliance criteria and monitoring details.

No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore further details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

5 The development hereby permitted shall not be commenced, with the exception of any site clearance works or works required to gain access (which shall be limited to an extent agreed in writing with the Local Planning Authority), until a scheme to deal with any contamination of land or pollution of controlled waters, has been submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

i) As identified as being required following the completion of the Hydrock 3E Phase I Geo-environmental Assessment P22-311-3E-XX-XX-RP-G-9000 dated 17 March 2023, an exploratory site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed end use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.

ii) Thereafter, a written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the LPA. This shall

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include details of the proposed verification plan including compliance criteria and monitoring details.

No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore further details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

6 If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 5 above and remediation is required, a full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation objectives and criteria has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

6 If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 5 above and remediation is required, a full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation objectives and criteria has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

7 The development hereby permitted shall not be commenced until a Construction

Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA).

The Construction Environmental Management Plan (CEMP) shall set out, as a minimum:

- site specific measures to control and monitor impact arising in relation to construction traffic; disturbance during the construction process through noise and vibration, dust and air pollutants, land contamination, ecology, and ground water.

- It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the Construction Environmental Management Plan (CEMP).

No development shall take place until the Construction Environmental Management Plan (CEMP) has been approved in writing by the Local Planning Authority and the construction process and development hereby permitted, shall be carried out in full accordance with the Construction Environmental Management Plan so approved, at all times. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: In the interests of the amenity of local residents. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

7 The development hereby permitted shall not be commenced until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA).

The Construction Environmental Management Plan (CEMP) shall set out, as a minimum:

- site specific measures to control and monitor impact arising in relation to construction traffic; disturbance during the construction process through noise and vibration, dust and air pollutants, land contamination, ecology, and ground water.

- It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the Construction Environmental Management Plan (CEMP).

No development shall take place until the Construction Environmental Management Plan (CEMP) has been approved in writing by the Local Planning Authority and the construction process and development hereby permitted, shall be carried out in full accordance with the Construction Environmental Management Plan so approved, at all times. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: In the interests of the amenity of local residents. This issue is integral to the

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development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

8 Prior to the commencement of any development hereby permitted, a Construction Management Plan and Method Statement shall have been submitted to, and approved in writing by, the Local Planning Authority.

No development shall take place until the Construction Management Plan and Method Statement has been approved in writing by the Local Planning Authority and the development hereby permitted shall be undertaken in accordance with the details so approved.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include;
- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

8 Prior to the commencement of any development hereby permitted, a Construction Management Plan and Method Statement shall have been submitted to, and approved in writing by, the Local Planning Authority.

No development shall take place until the Construction Management Plan and Method Statement has been approved in writing by the Local Planning Authority and the development hereby permitted shall be undertaken in accordance with the details so approved.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include;
- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;

- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

9 No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of upgrading the existing crossing at the Roman Bank/Holbeach Road (A151) junction to a formal uncontrolled pedestrian crossing with tactile paving have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.
This Condition is imposed in accordance with Policy 36 of the South East Lincolnshire Local Plan, 2019 and Section 9 of the National Planning Policy Framework (December 2024).

9 No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of upgrading the existing crossing at the Roman Bank/Holbeach Road (A151) junction to a formal uncontrolled pedestrian crossing with tactile paving have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.
This Condition is imposed in accordance with Policy 36 of the South East Lincolnshire Local Plan, 2019 and Section 9 of the National Planning Policy Framework (December 2024).

10 Prior to the occupation of any part of the development hereby permitted, details of a 1.8 metre wide footway, to connect the development to the existing footway network, shall have been submitted to, and approved in writing by the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

The 1.8 metre wide footway and associated works shall be completed in accordance with the approved details prior to first occupation of any part of the development hereby approved.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

10 Prior to the occupation of any part of the development hereby permitted, details of a 1.8 metre wide footway, to connect the development to the existing footway network, shall have been submitted to, and approved in writing by the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

The 1.8 metre wide footway and associated works shall be completed in accordance with the approved details prior to first occupation of any part of the development hereby approved.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property. This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

11 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Hydrock 3E Limited, ref: P22-311-ZZ-XX-HYD-RP-C-9000, dated 31 March 2023) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

- The ground floor finished floor levels will be set no lower than 5.35 metres above Ordanance Datum (AOD) in order to provide safe refuge for the residents.

This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Note: The above approved plan does not constitute final approval of detailed site levels or finished floor levels.

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 Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, December 2024.

11 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Hydrock 3E Limited, ref: P22-311-ZZ-XX-HYD-RP-C-9000, dated 31 March 2023) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

- The ground floor finished floor levels will be set no lower than 5.35 metres above Ordanance Datum (AOD) in order to provide safe refuge for the residents.

This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the

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development.

Note: The above approved plan does not constitute final approval of detailed site levels or finished floor levels.

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 Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, December 2024.

12 Before the commencement of the development hereby granted, full details of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall:
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the developed site;
- provide attenuation details and discharge rates which shall be restricted to 5 litres per second;
- provide details of the timetable for any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

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, December 2024.

12 Before the commencement of the development hereby granted, full details of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall:
- be based on sustainable drainage principles and an assessment of the hydrological and

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hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the developed site;
- provide attenuation details and discharge rates which shall be restricted to 5 litres per second;
- provide details of the timetable for any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

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, December 2024.

13 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

13 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

14 The development hereby permitted shall be carried out in strict accordance with drawing no. P22-311-HYD-XX-XX-DR-C-2000 Rev: P02. The site levels of the development hereby permitted shall be constructed, graded and retained in accordance with this approved plan.

Reason: To reduce the risk of flooding of the development and to ensure appropriate finished site and floor levels of the development, in the interests of the visual and

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architectural relationship with adjacent development.
This Condition is imposed in accordance with Policy 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2024.

14 The development hereby permitted shall be carried out in strict accordance with drawing no. P22-311-HYD-XX-XX-DR-C-2000 Rev: P02. The site levels of the development hereby permitted shall be constructed, graded and retained in accordance with this approved plan.

Reason: To reduce the risk of flooding of the development and to ensure appropriate finished site and floor levels of the development, in the interests of the visual and architectural relationship with adjacent development.
This Condition is imposed in accordance with Policy 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2024.

15 Before the development hereby permitted is occupied, the landscaping and tree planting for the site shall be carried out and completed in its entirety, in accordance with the approved landscape strategy and drawing no. 1607-2-1 rev: F, indicating the specific number, species, heights on planting and positions of all the trees and planting.

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.

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, and that Biodiversity Net Gain will be achieved.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

15 Before the development hereby permitted is occupied, the landscaping and tree planting for the site shall be carried out and completed in its entirety, in accordance with the approved landscape strategy and drawing no. 1607-2-1 rev: F, indicating the specific number, species, heights on planting and positions of all the trees and planting.

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.

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, and that Biodiversity Net Gain will be achieved.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

16 Prior to the occupation of the development hereby permitted, details of the external

storage area for refuse and recycling, as well as full details of the arrangement for private refuse/recycling collection, shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to any occupation of the development and thereafter retained for the lifetime of the development.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, in the interests of the appearance of the site and the area within which it is set and to ensure appropriate arrangements are in place for the collection of refuse/recycling. This application has been approved on the basis that storage will be provided internally, at the first instance, prior to collection with the approved plans specifying a bin storage area.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

16 Prior to the occupation of the development hereby permitted, details of the external storage area for refuse and recycling, as well as full details of the arrangement for private refuse/recycling collection, shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to any occupation of the development and thereafter retained for the lifetime of the development.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, in the interests of the appearance of the site and the area within which it is set and to ensure appropriate arrangements are in place for the collection of refuse/recycling. This application has been approved on the basis that storage will be provided internally, at the first instance, prior to collection with the approved plans specifying a bin storage area.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

17 The development hereby permitted shall be carried out in accordance with the recommendations contained in the Ecological Appraisal prepared by OS Ecology Ltd, dated March 2023, including the need for pre-commencement checking surveys to be carried out, with the exception of the details required by Condition 19 of this permission.

Should any protected species be identified, or matters arise that were not otherwise previously encountered through the Ecological Appraisal, works shall stop and a detailed mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to works recommencing.

Reason: In the interests of the protection of local wildlife and in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

17 The development hereby permitted shall be carried out in accordance with the recommendations contained in the Ecological Appraisal prepared by OS Ecology Ltd, dated March 2023, including the need for pre-commencement checking surveys to be carried out, with the exception of the details required by Condition 19 of this permission.

Should any protected species be identified, or matters arise that were not otherwise

previously encountered through the Ecological Appraisal, works shall stop and a detailed mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to works recommencing.

Reason: In the interests of the protection of local wildlife and in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

18 The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures (avoidance, strategy and compensation scheme) contained in Watercourse Survey prepared by OS Ecology, dated September 2023, including the need for pre-commencement checks to be carried out in accordance with the mitigation recommendations outlined within the survey.

Should any protected species be identified, or matters arise that were not otherwise previously encountered through the Watercourse Survey, works shall stop and a detailed mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to works recommencing.

Reason: In the interests of the protection of local wildlife and in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

18 The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures (avoidance, strategy and compensation scheme) contained in Watercourse Survey prepared by OS Ecology, dated September 2023, including the need for pre-commencement checks to be carried out in accordance with the mitigation recommendations outlined within the survey.

Should any protected species be identified, or matters arise that were not otherwise previously encountered through the Watercourse Survey, works shall stop and a detailed mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to works recommencing.

Reason: In the interests of the protection of local wildlife and in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

19 Prior to the occupation of the development hereby permitted, a scheme shall be submitted to and agreed in writing by the Local Planning Authority for the location of bat and bird boxes to encourage wildlife development. The agreed scheme shall be implemented prior to the completion of the development.

Reason: In the interests of the protection of local wildlife.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

19 Prior to the occupation of the development hereby permitted, a scheme shall be submitted to and agreed in writing by the Local Planning Authority for the location of bat and bird boxes to encourage wildlife development. The agreed scheme shall be implemented prior to the completion of the development.

Reason: In the interests of the protection of local wildlife.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

20 Prior to the first occupation of the development, details of an external lighting scheme for the premises shall be submitted to and agreed in writing by the Local Planning Authority. The external lighting scheme shall take account of the recommendations outlined within the Ecological and Watercourse Surveys and clearly demonstrate the schemes compliance with such recommendations.

The external lighting scheme shall be implemented in accordance with the approved scheme.

Reason: In the interests of amenity and public safety.
This Condition is imposed in accordance with Policy 3 of the South East Lincolnshire Local Plan, 2019.

20 Prior to the first occupation of the development, details of an external lighting scheme for the premises shall be submitted to and agreed in writing by the Local Planning Authority. The external lighting scheme shall take account of the recommendations outlined within the Ecological and Watercourse Surveys and clearly demonstrate the schemes compliance with such recommendations.

The external lighting scheme shall be implemented in accordance with the approved scheme.

Reason: In the interests of amenity and public safety.
This Condition is imposed in accordance with Policy 3 of the South East Lincolnshire Local Plan, 2019.

21 During the construction of the development no tree or shrub felling, lopping or clearance shall take place between February and the end of July (inclusive of both months stated) and no such works shall take place should the presence of bird nesting be found.

Reason: To ensure that birds and their nests are protected during the nesting season.
This Condition is imposed in accordance with national guidance contained in Section 15 of the National Planning Policy Framework, December 2024.

21 During the construction of the development no tree or shrub felling, lopping or clearance shall take place between February and the end of July (inclusive of both months stated) and no such works shall take place should the presence of bird nesting be found.

Reason: To ensure that birds and their nests are protected during the nesting season.
This Condition is imposed in accordance with national guidance contained in Section 15 of the National Planning Policy Framework, December 2024.

22 Before the development whereby approved is first brought into use, all recommendations outlined in the Noise Impact Assessment (Apex Acoustic report 'Roman Bank Spalding, Noise impact assessment' ref 10241.1 dated 29th April 2024 Rev B) shall be implemented, completed in full and shall be thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and in accordance with Policy 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).
This Condition is imposed in accordance with Policy 2, 3 & 30 of the South East Lincolnshire Local Plan, 2019.

22 Before the development whereby approved is first brought into use, all recommendations outlined in the Noise Impact Assessment (Apex Acoustic report 'Roman Bank Spalding, Noise impact assessment' ref 10241.1 dated 29th April 2024 Rev B) shall be implemented, completed in full and shall be thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and in accordance with Policy 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).
This Condition is imposed in accordance with Policy 2, 3 & 30 of the South East Lincolnshire Local Plan, 2019.

23 Before any of the units hereby approved are occupied or brought into use, a noise validation report, demonstrating compliance with the recommendations outlined in Condition 22 above, shall be submitted to and approved by the Local Planning Authority. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: In the interests of residential amenity and in accordance with Policy 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).
This Condition is imposed in accordance with Policy 2, 3 & 30 of the South East Lincolnshire Local Plan, 2019.

23 Before any of the units hereby approved are occupied or brought into use, a noise validation report, demonstrating compliance with the recommendations outlined in Condition 22 above, shall be submitted to and approved by the Local Planning Authority. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: In the interests of residential amenity and in accordance with Policy 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).
This Condition is imposed in accordance with Policy 2, 3 & 30 of the South East Lincolnshire Local Plan, 2019.

24 The rating level of the noise emitted from fixed plant and equipment (mechanical and electrical) located at the site, shall not exceed the existing background level as established in the Noise Impact Assessment (Apex Acoustic report 'Roman Bank Spalding, Noise impact assessment' ref 10241.1 dated 29th April 2024 Rev B), at any premises used for residential purposes that surrounds the site, when assessed in accordance with BS 4142:2014+A1(2019).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, and in accordance with Policy 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).
This Condition is imposed in accordance with Policy 2, 3 & 30 of the South East Lincolnshire Local Plan, 2019.

24 The rating level of the noise emitted from fixed plant and equipment (mechanical and electrical) located at the site, shall not exceed the existing background level as established in the Noise Impact Assessment (Apex Acoustic report 'Roman Bank Spalding, Noise impact assessment' ref 10241.1 dated 29th April 2024 Rev B), at any premises used for residential purposes that surrounds the site, when assessed in accordance with BS 4142:2014+A1(2019).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, and in accordance with Policy 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).
This Condition is imposed in accordance with Policy 2, 3 & 30 of the South East Lincolnshire Local Plan, 2019.

25 Prior to the first occupation of the development hereby permitted, the provision of cycle storage for 6 bicycles shall be provided and made available, in accordance with drawing no. 4238-JDK-DR-A-1003 Rev: 7. The cycle storage shall be retained thereafter for lifetime of the development.

Reason: To ensure that adequate secure facilities are provided for cyclists using the site.
This Condition is imposed in accordance with Policy 36 of the South East Lincolnshire Local Plan, 2019.

25 Prior to the first occupation of the development hereby permitted, the provision of cycle storage for 6 bicycles shall be provided and made available, in accordance with drawing no. 4238-JDK-DR-A-1003 Rev: 7. The cycle storage shall be retained thereafter for lifetime of the development.

Reason: To ensure that adequate secure facilities are provided for cyclists using the site.
This Condition is imposed in accordance with Policy 36 of the South East Lincolnshire Local Plan, 2019.

26 Five swift nest bricks shall be incorporated within the external walls of the development hereby approved and shall be retained thereafter.

Reason: In the interests of biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

26 Five swift nest bricks shall be incorporated within the external walls of the development hereby approved and shall be retained thereafter.

Reason: In the interests of biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

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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

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Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

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Biodiversity Net Gain

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

The effect of Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan, or

(c) the development is exempt from the biodiversity gain condition.

For guidance on the contents, in respect of the details that must be submitted and agreed by the Local Planning Authority, prior to the commencement of the consented development, please see the GOV.uk website and Planning Practice Guidance.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at
https://www.gov.uk/guidance/biodiversity-net-gain.

Based on the information available and submitted in support of this application, the Local Planning Authority considers that the development hereby permitted is exempt and therefore will not require the approval of a biodiversity gain plan, prior to the commencement of development; with the development comprising a statutory exemption as listed below: -

- The application was submitted prior to the implementation of mandatory Biodiversity Net Gain, under Schedule 7A of the Town and Country Planning Act 1990.

As such, the development hereby permitted will not be subject to the biodiversity gain condition.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

For clarity the LPA do not consider that irreplaceable habitats are present at this site.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where

(a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and

(b) the conditions subject to which the planning permission is granted:

(i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

Biodiversity Net Gain

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

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(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act

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1991. Contact Development Services Team 0345 606 6087.

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact the Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact the Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with the a current specification that is current at the time of construction issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services or street furniture because of the installation of an access will be the responsibility, and cost of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the LCC website, accessible via the

following link:

https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with the a current specification that is current at the time of construction issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services or street furniture because of the installation of an access will be the responsibility, and cost of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the LCC website, accessible via the following link:

https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

For further guidance please visit:
Traffic Management - https://www.lincolnshire.gov.uk/traffic-management
Licences and Permits - https://www.lincolnshire.gov.uk/licences-permits

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

For further guidance please visit:
Traffic Management - https://www.lincolnshire.gov.uk/traffic-management
Licences and Permits - https://www.lincolnshire.gov.uk/licences-permits

The highway improvement works referred to in the conditions above are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

For further guidance please visit out website:
https://www.lincolnshire.gov.uk/highways-planning/works-existing-highway

The highway improvement works referred to in the conditions above are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

For further guidance please visit out website:
https://www.lincolnshire.gov.uk/highways-planning/works-existing-highway

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

This planning permission is subject to an Agreement under Section 106 of the Town & Country Planning Act 1990 dated 06 February 2025 and can only be implemented as a consequence of meeting the provisions of that Agreement

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Phil Norman
Assistant Director - Planning and Strategic Infrastructure
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		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

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.