

Studio 11 Architecture
The Boathouse
Harbour Square
Nene Parade
Wisbech Cambs
PE13 3BH

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TOWN AND COUNTRY PLANNING ACT 1990

RESERVED MATTERS

Reference: H17-0026-19 **Date of Decision:** 10th May 2019
Applicant: Seagate Homes Ltd
C / O Studio 11 Architecture
The Boathouse
Harbour Square
Nene Parade Wisbech Cambs
PE13 3BH
Location: Land Off Station Road Surfleet Spalding
Description: Erection of 32 dwellings - outline approval H17-0510-18 and resubmission of H17-0429-18

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

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

428.SL.01 Rev G;
428.LD.01 Rev E;
428.LD.02 Rev E;
428.DS.01 Rev A;
428.Aln.01;
428.Aln&Lud.01 Rev A;
428.Hyl.01 Rev B;
428.Lau.01 Rev C;
428.Lind.01 Rev A;
428.Lum.01 Rev B;
428.Roc.01 Rev B;

428.Rich.01;
428.Rich.02;
428.TW1.01;
428.TG1.01;
428.SG.01;
428.DG1.01;
428.BT.01 Rev A;
428.BT.02 Rev B;
428.MRP.01 Rev A;
External Material Schedule (Rev B, dated 9th January 2019);
Management Plan for General Planting, Public Open Space, Refuse/Recycling Collection Points & Parking Courts (prepared by Studio 11 Architecture, dated January 2019);
Construction Method Statement (ref, JMG 01/19);
Drainage Strategy (Rev A, dated 2nd August 2018); and
Combined Phase I Desk Study & Phase II Exploratory Investigation (prepared by GeoDyne, dated 25th October 2018).

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

- 2 No development shall commence until a scheme for the provision of infrastructure to ensure the availability of water supplies to the Fire Service in the event of an emergency, have been submitted to and approved in writing by the Local Planning Authority. The details as approved, including timings, shall be fully implemented before the development is first brought into use and shall be retained thereafter.

Reason: In the interests of fire safety. 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 Policy 5 of the South East Lincolnshire Local Plan, 2019.

- 3 The scheme of landscaping and tree planting shown on dwg. no's. 428.LD.01 Rev E and 428.LD.02 Rev E shall be carried out and completed in its entirety during the first planting season following practical completion of the development. 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.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those

concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

All roads within the development hereby permitted must be constructed to an engineering standard equivalent to that of adoptable highways. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980.



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		

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 Authority 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.