

Ashwood Homes  
 1 Goodison Road  
 Spalding  
 Lincs

Council Offices  
 Priory Road  
 Spalding  
 Lincolnshire  
 PE11 2XE  
 Admin 01775 764723  
 DC Officers 01775 764703  
 facsimile 01775 762937  
[planningadvice@sholland.gov.uk](mailto:planningadvice@sholland.gov.uk)  
[www.sholland.gov.uk](http://www.sholland.gov.uk)

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **FULL**

**Reference:** H17-0027-20 **Date of Decision:** 26th June 2020  
**Applicant:** Ashwood Homes  
 1 Goodison Road  
 Spalding  
 Lincs  
**Location:** Land Off Station Road Surfleet Spalding Lincs  
**Description:** Erection of 32 dwellings and associated works

**South Holland District Council hereby give notice that this application 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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:  
 3282-P100  
 117-SL-01 Rev B  
 117-A732(DEE)-100  
 117-CLYDE-100  
 117-LOCK-100  
 117-RIBBLE-V-100  
 117-A732(R)-110  
 117-A732(R)-111  
 117-LINDISFARNE-100  
 117-LINDISFARNE-101  
 117-NENE-LOCK-100  
 117-NENE-LOCK-101

117-NENE-LOCK-SG-LOCK-NENE-100  
117-NENE-LOCK-SG-LOCK-NENE-101  
117-NENE-LOCK-SG-LOCK-NENE-102  
117-STAMFORD-100  
117-STAMFORD-101  
117-TAY-100  
117-TAY-101  
SKS/LA1 (Sheets 1 and 2)  
117-BT-01 Rev A  
117-MSL-01 Rev A  
117-ES-01  
428.MRP.01A  
117-MCCP-01  
117-EW-01  
DR-100 Rev A  
117-KS-01  
1837/LTG/5000 Rev A1  
428.RS.106G  
428.RS.107A  
428.RS.110G  
428.RS.111G  
428.RS.120B  
428.RS.150E  
428.RS.151E  
428.RS.155E  
428.RS.156E  
428.RS.800F  
428.RS.820D  
428.RS.821E  
928.RS.822D  
428.RS.824A  
428-RS-825B  
428.RS.826A  
428.RS.900F  
428.RS.940C  
428.RS.960B  
117-PSC-01  
117-PSC-02  
117-PSC-03  
Flood Risk Assessment (prepared by S M Hemmings, dated July 2016, Rev. A)  
Plot Materials Schedule (Rev A)  
Landscape Schedules (prepared by Leflay Design, dated November 2019)  
Management Plan for General Planting, Public Open Space, Refuse/Recycling Collection  
Points & Parking Courts) (prepared by Studio 11 Architecture, dated January 2019)  
Combined Phase I Desk Study & Phase II Exploratory Investigation (prepared by  
GeoDyne Limited, dated 25th October 2018)  
117-CMP-01 Rev B  
Email correspondence from applicant regarding surface water drainage during  
construction period (received 16th April 2020)

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

- 3 Before each dwelling is occupied, the roads and footways providing access to that dwelling, for the whole of its frontage from an existing public highway, shall be constructed to a specification to enable them to be adopted as Public Highway, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development and that the roads and footways are completed within a reasonable period following completion of the dwellings.

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

- 4 No dwelling shall be commenced before the first 50 metres of estate road from its junction with the public highway, including visibility splays, have been completed to binder course level.

Reason: To ensure construction and delivery vehicles, and the vehicles of site personnel may be parked and/or unloaded off the existing highway, in the interests of highway safety and the amenity of neighbouring residents.

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

- 5 Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details approved by the Highways Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

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

- 6 The development hereby permitted development shall be undertaken in accordance with the approved surface water drainage scheme.

No dwelling 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 permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

- 7 The development hereby permitted development shall be undertaken in accordance with the approved Construction Management Plan (dwg. no. 117-CMP-01 Rev B) and submitted details relating to surface water drainage during the construction period. Notwithstanding the approved details, further signage shall be provided in an appropriate location(s) as a reminder that no vehicles associated with the construction of the development are to be parked on Station Road or the verges and gateways of Station Road.

Reason: In the interests of the amenity of local residents. Also for highway safety, to ensure that suitable traffic routes are agreed and to ensure that the site 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, 4 and 30 of the South East Lincolnshire Local Plan, 2019.

- 8 The scheme of landscaping and tree planting shown on dwg. no's. SKS/LA1 (Sheets 1 and 2) 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.

- 9 The development hereby permitted shall be carried out in accordance with the approved flood risk assessment (prepared by S M Hemmings, dated July 2016, Rev. A) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 3.5 metres AOD
- Flood resilient construction shall be incorporated throughout all the properties to a minimum height of 300mm above finished floor level

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, 2019.

- 10 The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each dwelling.

Reason: To protect the quality and quantity of water resources available to the district.

This Condition is imposed in accordance with Policy 31 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.

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections 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.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.

This planning permission is subject to an Agreement under Section 106 of the Town & Country Planning Act 1990 dated 23 June 2020 and can only be implemented as a consequence of meeting the provisions of that Agreement.



**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](mailto: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](mailto: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.