

Ashgrove Associates  
Ashgrove Lodge  
Austendyke Road  
Weston Hills  
Spalding Lincs  
PE12 6BZ

Council Offices  
Priory Road  
Spalding  
Lincolnshire  
PE11 2XE  
Admin 01775 764723  
DC Officers 01775 764703  
facsimile 01775 762937  
planningadvice@sholland.gov.uk  
www.sholland.gov.uk

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

### **RESERVED MATTERS**

**Reference:** H17-0624-18 **Date of Decision:** 8th August 2018  
**Applicant:** Mr Mike Yould  
Homelea  
Dozens Bank  
Pode Hole  
Spalding Lincs  
PE11 3NA  
**Location:** Land Between 61-71 Seas End Road Surfleet Spalding  
**Description:** Erection of 4 bed detached house - outline application H17-0636-17

**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:  
AA-18-009/00;  
AA-18-009/01;  
AA-18-009/02;  
AA-18-009/03; and  
Archaeological Evaluation Report (prepared by Mark Peachey, dated June 2018).

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

- 2 No development shall take place until a written scheme of archaeological investigation for the monitoring of groundworks has been submitted to and approved in writing by the Local Planning Authority. The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: The post-determination archaeology evaluation phase suggested that the site contains material of archaeological interest that should be recorded during the groundworks prior to destruction.

**Notes:**

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

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

There is a requirement for a new/amended vehicular access. Applicants should note the provisions of Section 184 of the Highways Act 1980. The works should be to the specification and constructed to the satisfaction of the Highway Authority, please contact 01522 782070.

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 in the public highway in association with this application. This will enable Lincolnshire County Council to assist you in the coordination and timings of such works.



**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 |                                   |                            |

### 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.