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

Fendraw Design & Planning
67 Gorefield Road
Leverington
Wisbech
Cambs
PE13 5AT

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H18-0851-18 **Date of Decision:** 13th December 2018

Applicant: Mr & Mrs Matthew Warr
The Villa
83 New Road
Sutton Bridge
Spalding Lincs
PE12 9RQ

Location: The Villa 83 New Road Sutton Bridge Spalding

Description: New brick piers with front gates and boundary fence

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:
FD-W-PE129RQ
Arboricultural Report (Prepared by Ethical Arboriculture - 21 August 2018)

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

3 The preserved cherry tree under reference T3 shall remain on site. Should any works be required to the tree, the Trees & Conservation Officer should be contacted prior to commencement of these works.

Reason: To ensure the protection of the cherry tree located on the site and in particular to avoid unnecessary damage to its root system.
This Condition is imposed in accordance with advice within Section 15 of the National Planning Policy Framework, 2018.

4 During site clearance and the construction process, the preserved trees should be protected by a barrier on the application site to comply with British Standard 5837-2012 encircling the root protection area of 9 metres, or extent of canopy (whichever is greater). No fires, stored materials, buildings, movement of vehicles, cement washings to take place within the enclosed area.

Reason: To ensure the protection of the preserved trees on the site and in particular to avoid unnecessary damage to the root system.
This Condition is imposed in accordance with advice within Section 15 of the National Planning Policy Framework, 2018.

5 All post holes shall be hand dug. Excavations and mechanised earth movement shall not take place within the root protection area of the trees unless otherwise submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of the preserved trees on the site and in particular to avoid unnecessary damage to the root system.
This Condition is imposed in accordance with advice within Section 15 of the National Planning Policy Framework, 2018.

6 Excavation works are to be carried out under the supervision of an qualified arboriculturalist.

Reason: To ensure the protection of the preserved trees on the site and in particular to avoid unnecessary damage to the root system.
This Condition is imposed in accordance with advice within Section 15 of the National Planning Policy Framework, 2018.

7 All proposed pruning works to trees covered by a Tree Preservation Order to be subject to application for consent to the Local Planning Authority (South Holland District Council).

Reason: To ensure the protection of the preserved trees on the site and in particular to avoid unnecessary damage to the root system.
This Condition is imposed in accordance with advice within Section 15 of the National Planning Policy Framework, 2018.

8 All roots over 25mm in diameter shall be retained and bridged.

Reason: To ensure the protection of the preserved trees on the site and in particular to avoid unnecessary damage to the root system.
This Condition is imposed in accordance with advice within Section 15 of the National Planning Policy Framework, 2018.

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

Under the Wildlife and Countryside Act 1981(as amended) all birds, their nest's and eggs are protected by law and it is an offence to damage or destroy the nest of any wild bird while it is in use or being built. In the event of query please contact Natural England on Tel: 03000 603900.



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 Authroity based its decision on a direction given by him.

For detailed information on appeals, appeal types and guidance on the appeals process please visit:

http://www.planningportal.gov.uk/planning/appeals/planningappeals

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant it subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.