SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Observations of District Council on County Matter

Reference: H19/0149/98 Received:12-FEB-98 Type:COUNTY MATTER

Name: J R Whitwell
268 Lutton Gate Road
Sutton St Edmunds
Spalding
Lincs PE12 0LA

Agent: David Broker Design Services
Danbrooke House
Station Road
Wisbech St Mary
Wisbech Cambs PE13 4RW

Description: Proposed piping and filling of dyke to extend private lawned garden to house.
Location : 242 Lutton Gate Road Sutton St Edmunds Spalding Lincs

South Holland District Council have considered the proposal and have no objections, subject to any condition(s) set out below:

1 No objections subject to the infilled material not polluting the drain.

Director of Housing and Planning Services
19-MAR-98 H19/0149/98

This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

MRS SALLY WALTHAM BA (Hons) F.C.I.H. Director of Housing & Planning Services

Housing & Planning Services Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 01775 761161)

Town and Country Planning Act etc

DRAFT PERMISSION

Reference: H19/0149/98 Received:12-FEB-98 Type:COUNTY MATTER

Name: J R Whitwell
268 Lutton Gate Road
Sutton St Edmunds
Spalding
Lincs PE12 OLA

Agent: David Broker Design Services
Danbrooke House
Station Road
Wisbech St Mary
Wisbech Cambs PE13 4RW

Description: Proposed piping and filling of dyke to extend private lawned garden to house.
Location : 242 Lutton Gate Road Sutton St Edmunds Spalding Lincs

South Holland District Council hereby give notice that permission has been granted (or equiv) on the following condition(s):

1 No objections subject to the infilled material not polluting the drain.

12-MAR-98 Checked 18/3

Authorised to issue (inc Delegation)..... 18/3

Does final decision notice need to go to Lincs. County Council? Yes - √done 19/3

FILE COPY

Town and Country Planning Act 1990 Form P2

Planning Permission

Name and address of applicant

J R Whitwell
268 Lutton Gate Road
Sutton St Edmund
PE12 OLH

Name and address of agent (if any)

David Broker Design Services
Danbrooke House
Station Road
Wisbech St Mary
Wisbech
PE13 4RW

Part I - Particulars of application

Date of application:
3 February 1998

Application No.
H19/0149/98
LCC Ref. No.
H19/0149/98

Particulars and location of development:
To infill dyke with inert material to extend garden at 242 Lutton Gate Road, Sutton St Edmund

Part II - Particulars of decision

The Lincolnshire County Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

1. Only those materials in waste Category A of the Schedule of Waste Categories attached to this Decision Notice shall be imported and used in the infilling of the site.

2. The proposed development shall be completed and levelled and seeded within 3 months of the date of this permission or within such longer period as may be agreed with the written agreement of the Director of Highways and Planning.

3. Within one month of the date of this permission details shall be submitted to and approved by the Director of Highways and Planning of the means of defining the highway boundary. Such details as approved shall be carried out in their entirety within 3 months of the date of this permission or such time as may be agreed in writing with the Director of Highways and Planning.

cont...

Date 13 MAR 1998

4th Floor, City Hall
Beaumont Fee, Lincoln

Chief Planning Officer
Lincolnshire County Council

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

The reasons for the conditions are:

1and 2 In the interests of local amenity.

3. To prevent any encroachment on the highway.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ). The Secretary of State has a power to allow a longer period for the giving notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving of a notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

WASTE CATEGORY A : INERT WASTE

Solid, or granular material which either does not decompose or decomposes only very slowly and is virtually insoluble in water.

Subsoil
Topsoil
Hardcore
Brickwork
Stone
Concrete
Clay
Sand (including clean foundry and moulding sand)
Silica
Excavated Road Metal (well weathered)