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Mr & Mrs R Oddy
Orchard View Caravan & Camping Park
Orchard View
100 Broadgate
Sutton St Edmund
PE12 0LT

# TOWN AND COUNTRY PLANNING ACT 1990
# SECTION 73A CONTINUATION

**Reference:** H19-0834-15 **Date of Decision:** 9th November 2015

**Applicant:** Mr & Mrs R Oddy
Orchard View Caravan & Camping Park
Orchard View
100 Broadgate
Sutton St Edmund
PE12 0LT

**Location:** Orchard View Caravan And Camping Park Broadgate Sutton St Edmund Spalding Lincs

**Description:** Caravan and camping park approved under H19-0590-09. Modification of Conditions 1 and 4 to allow all year round opening and to increase the number of pitches by 7.

## South Holland District Council hereby give notice that this application has been GRANTED (or equivalent) subject to the following condition(s):

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
1:2500 site location plan (Dwg. no. 6033-2);
1:500 layout plan dated July 2009.

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

2 No more than 12 static caravans and 33 touring caravans, motor homes or tents shall be stationed on the site at any one time and they shall only be stationed in the positions shown on the approved layout plan.

Reason: To define the terms of the permission and to ensure that the development remains small scale and integrated within the rural landscape in accordance with Policy LT7 of the South Holland Local Plan 2006.

3 The static caravans, touring caravans, motor homes and tents upon the site shall not be used for any other purpose than holiday accommodation. For the purpose of this condition "holiday accommodation" means occupancy by the same person, groups of persons or family for a period(s) not exceeding a total of 28 days in any six month period. No static/touring caravan, motor home and tent shall be used as the main residence of any

occupant.

Reason: To ensure that the development is restricted to short term holiday use only and not used for residential purposes. Residential use would be contrary to the provisions of Policy HS7 of the South Holland Local Plan 2006 and Paragraph 55 of the National Planning Policy Framework, 2012, both of which seek to control new residential development in the open countryside.

4 An up-to-date register of the names, main home addresses, visiting dates and length of stay of all visitors using holiday accommodation on the site shall be maintained at all times and be available for inspection by the Local Planning Authority at all reasonable times.

Reason: To ensure that the development is restricted to holiday use only and to prevent the establishment of permanent residential accommodation upon the site. The latter would be contrary to the provisions of Policy HS7 of the South Holland Local Plan 2006 and Paragraph 55 of the National Planning Policy Framework, 2012, both of which seek to control new residential development in the open countryside.

5 The approved scheme of landscaping and/or screening shall be adequately maintained by the owner(s) of the land on which it is situated for a period of five years beginning with the date of this decision notice, and all losses shall be made good during that period. The planting schedule shall be in accordance with details shown on drawing no 6033-4 accompanying application reference H19-1207-05.

Reason: In the interest of visual amenity.
This Condition is imposed in accordance with Policies SG18 and LT7 of the South Holland Local Plan, 2006.

6 The use hereby permitted shall be operated solely in conjunction with the occupation of the adjoining dwelling on site currently known as "Orchard View" and shall not be sold off separately from that property.

Reason: The proximity of the dwelling to the use makes it unsuitable for occupation unconnected with the use and the existing dwelling provides essential management accommodation.
This Condition is imposed in accordance with Policies LT7, SG17 and HS7 of the South Holland Local Plan 2006.

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

The applicant is reminded that an application will also need to be made to South Holland District Council for an amended Caravan Site Licence under the Caravan and Control of Development Act, 1960.

It should be noted that the permission effectively supersedes a previous planning permission for the winter storage of caravans within the south-western part of the site (reference H19-1237-87).

Paul Jackson



Place 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.