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TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL REQUIRED BY CONDITION OF PERMISSION

Reference:	H19-0953-18	Date of Decision:	16th August 2019
Applicant:	Mr M Price South Eau Farm South Eau Bank Throckenholt Spalding PE12 0QW		
Location:	West Of Bank House Farm South Eau Bank Throckenholt Spalding		
Description:	Details of landscaping, boundary treatments, archaeological investigation and scheme for contamination (Conditions 3, 4, 5 and 9 of H19-0147-18)		

South Holland District Council hereby give notice that CONSENT HAS BEEN GRANTED for the details submitted for the purpose of conditions attached to the planning permission.

Notes:

The determined plans are:
Archaeological Monitoring and Recording
Site and Location Plan Plot *1* with Landscaping Added
Groundsure Enviro Insight
Landscaping Note
Application Form
Supporting Information Email (Received 24 October 2018)
Geo-Environmental Phase 2 Investigation
Geo-Environmental Investigation Report
Geo-Environmental Phase 2 Investigation - Report no: 9698076-R02

Correspondence to accompany Geo-Environ. Report
Geo-Environmental Phase 2 Investigation Report No. 9698076-R02 Prepared By Adeptus
Consulting Dated May 2019
Enhanced Thermal Details Plan (Received 04 July 2019)

In order to discharge part iv and fully clear condition 9, the Local Planning Authority will need the following prior to occupation:

Membrane - delivery note of membrane to site.

Soil removal:

- Photos before soil scraped away
- Photos after soil scraped away
- Waste transfer notes for soil going off site
- Delivery notes for imported topsoil
- Chemical test results showing topsoil is suitable for residential use.
- Photos after placement.

Imported topsoil needs to be tested at a rate of minimum 3 samples, or 1 per 250m3 (whichever is greater) however if the topsoil comes from British Sugar we do accept their own test results as long as they are dated within the last 6 months. Samples should be tested for a general suite (Standard metals/metalloids (should include as a minimum As, Cd, Cr, CrVI, Cu, Hg, Ni, Pb, Se, Zn) PAH (16 USEPA speciation) Asbestos).



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 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.