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TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73 MODIFICATION

Reference: H21-0424-23 **Date of Decision:** 26th June 2023

Applicant: Platinum Builds Ltd.
7 Station Road
Tydd Gote
Wisbech
PE13 5QA

Location: Rear Of 7 Station Road Tydd Gote Wisbech

Description: Erection of Bungalow - approved under H21-0854-22. Modification of Condition 1 to allow amendments to previously approved plans.

South Holland District Council hereby give notice that permission 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shall be carried out in accordance with the following approved plans and/or documents, except where amended or superseded by a subsequent consent:

H21-0424-23:
22/637/PA/002

H21-0854-22:
Technical Information Document (Reference SD22-023/TI) produced by Status Design Phase 1 Desk Study Report by Ground Engineering (Report Ref. No. C15738) dated September 2022

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

2 Ground levels shall remain unaltered and finished floor levels set in accordance with details within the Technical Information Document (Reference SD22-023/TI)

accompanying Reserved Matters approval ref. H21-0854-22, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent development.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

3 1.8m high close boarded fencing shall be erected along the southern and western boundaries of the site prior to occupation of the dwelling and shall thereafter be so maintained.

Reason: In order to ensure that the site is adequately screened, in the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4 The development shall not be occupied unless and until all recommendations arising from the Phase 1 Desk Study Report by Ground Engineering (Report Ref. No. C15738) dated September 2022 have been carried out.

Note: The Phase 1 Desk Study Report recommends that a Phase 2 intrusive ground investigation be undertaken to determine the ground conditions and identify whether any ground and/or groundwater contamination is present. This should therefore be carried out prior to any further work commencing on site and any recommended remedial measures should be satisfactorily carried out prior to occupation of the dwelling.

Reason: To address any pollution and to ensure a satisfactory development.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

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



Phil Norman
Head of Planning

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		

https://www.gov.uk/appeal-householder-planning-decision

https://www.gov.uk/appeal-planning-decision

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

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.