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G R Merchant Ltd
Unit 4 Wrights Mews
12a Park Road
Holbeach
Spalding
PE12 7EE

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H22-0055-17 **Date of Decision:** 13th March 2017

Applicant: T W Mews & Son
Crowtree Farm
Marsh Road
Spalding
Lincolnshire
PE12 6HF

Location: Crowtree Farm Marsh Road Spalding

Description: Change of use of land for holiday accommodation approved under H22-0742-14. Modification of Condition 2 to allow amendments to previously approved plans.

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 1st November 2017.

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:

Site/Layout Plan and existing and proposed layout plan submitted with the application.

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

3 Before the commencement of the development hereby permitted a schedule of external materials of construction of the accommodation units and hard surfaced areas shall be

submitted to and approved in writing by the Local Planning Authority. Samples shall be provided as may be required by the Local Planning Authority of the materials in the schedule and the use of such samples shall be approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the schedule and samples so approved.

To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

4 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (reference GCB/Davies & Co, dated August 2014) in particular the implementation of the flood warning and evacuation plan contained within the Fig 7 of the Flood Risk Assessment. In addition, details of the following mitigation measures shall be submitted to and approved in writing by the Local Planning Authority before development is commenced:

- A Flood Warning and Evacuation Plan.
- The means of securing all units of accommodation to the ground.
- Details of demountable defences to be provided to a height of 600mm to cover all ground floor doors.

The detailed mitigation measures so approved shall be fully implemented prior to occupation and thereafter maintained and the applicant shall confirm completion of the approved scheme, in writing to the Local Planning Authority, within one month thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants.
This Condition is imposed in accordance with guidance set out in Section 10 of the National Planning Policy Framework, 2012.

5 No units of holiday accommodation shall be occupied between 1st November (or the following Sunday if half term extends into November) in any one year and 14th March in the succeeding year.

Reason: To reduce the risk of loss of life during a flood event.
This Condition is imposed in accordance with guidance set out in Section 10 of the National Planning Policy Framework, 2012.

6 The accommodation hereby permitted shall not be used for purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, groups of persons or family for period(s) not exceeding a total of 28 days in any one financial year. The accommodation shall not be used as the main residence of any occupant.

Reason:To ensure that the development is restricted to holiday use only and that the accommodation is not used for residential purposes. Residential use would be contrary to the provisions of national guidance contained in Section 6 of the National Planning Policy

Framework, 2012, and to Policy HS7 of the South Holland Local Plan 2006 which seeks to restrict residential development in the open countryside to that which is necessary to serve proven agricultural needs.

7 An up-to-date register of the names, main home addresses, visiting dates and length of stay of all visitors to 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 accommodation units from being used for residential purposes. Residential use would be contrary to the provisions of Policy HS7 of the South Holland Local Plan 2006 and Section 6 of the National Planning Policy Framework, 2012 which seek to control new residential development in the open countryside.

8 Details of the means of storage and disposal of refuse shall be submitted to and be approved in writing by the Local Planning Authority and the development shall not commence in advance of that approval. The approved scheme shall be fully implemented before the accommodation is first occupied and shall thereafter be retained.

Reason:To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set.
This Condition is imposed in accordance with Policies SG13 and SG17 of the South Holland Local Plan 2006.

9 None of the existing trees on the site shall be cut down, up-rooted, destroyed, topped, lopped or pruned.

Reason:To ensure the protection of existing trees on the site, in the interests of the visual amenity of the locality.
This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006, national guidance contained in Section 11 of the National Planning Policy Framework, 2012.

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

Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should show where the public, fire brigade, ambulance and local doctors can be contacted, and the location of the nearest public telephone. The notices should also give the name and location/telephone number of the site operator or manager. Warning notices should be displayed giving advice about the operation of the

flood warning system and the details of the flood evacuation plan.

The developer is advised to note the contents of the letter from the Environment Agency dated 6 February 2017.



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.