Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764723
DC Officers 01775 764703
facsimile 01775 762937
planningadvice@sholland.gov.uk
www.sholland.gov.uk

T A C Architects
14 Old Fendyke Road
Weston Hills
Spalding
Lincolnshire
PE12 6DD

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H22-1061-17 **Date of Decision:** 22nd December 2017

Applicant: Mr Harry Brown
Blenheim House
560 Broadgate
Weston Hills
Spalding Lincs
PE12 6DP

Location: Site Adj To 30 Austendyke Road Weston Hills Spalding Lincs

Description: Proposed 4 no. dwellings

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 21 February 2020.

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:
Dwg. nos. 16/465/PA/007, 16/465/PA/018 and 16/465/PA/019B;
Flood Risk Assessment by S M Hemmings (Rev A) dated 13 January 2017;
Site Investigation Report (ref. 973/4008/P dated August 2016);
Validation Report - First Stage (ref. 973/4008/P dated August 2017).

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

3 Before the commencement of the development hereby permitted beyond oversite a full schedule of external materials of construction of buildings and hard surfaced areas shall

be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: 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 scheme of landscaping and tree planting shown on dwg. no. 16/465/PA/019B shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan, 2006.

5 Prior to occupation of any dwelling 2 metre high close boarded fencing shall be erected along the eastern and western boundaries of the site in accordance with details shown on dwg. no. 16/465/PA/019B accompanying the application. It shall thereafter be retained in its entirety.

Reason: In order to ensure that the site is adequately screened, in the interest of the amenities of the locality and future occupiers of the dwellings.
This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan, 2006.

6 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (FRA) forming part of this planning application and the following mitigation measures detailed within the FRA:
- Finished floor levels shall be set at 3.40m above Ordnance Datum (AOD).
The mitigation measures shall be fully implemented prior to occupation.

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

7 Before the commencement of the development hereby granted beyond oversite, full details of the means of disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies SG11 and SG13 of the South

Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

8 The development hereby permitted shall not be commenced until a full closure report has been submitted to and approved in writing by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore these details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan, 2006.

9 Prior to occupation of the dwellings on plots 3 and 4 refuse collection points shall be provided at the site's entrance in accordance with details shown on dwg. no. 16/465/PA/019B accompanying the application.

Reason: To ensure a satisfactory development in the interests of the visual amenities of the locality and amenity of future occupiers.
This Condition is imposed in accordance with Policies SG13 and SG14 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 development hereby permitted will require the provision of a new vehicular access crossing. Applicants are requested to contact the Local Highway Authority's Divisional Office at Pode Hole - (via call centre Tel: 01522 782070) prior to the commencement of any works within the public highway.

Please contact Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required in the public highway in association with this application. This will enable Lincolnshire County Council to assist you in the co-ordination and timing of such works.

The applicant is reminded that there is an existing vehicular right of way through the site to the agricultural field to the west.



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.