Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

John Dickie Associates
5 Victor Way
Cherryholt Road
Bourne
Lincs
PE10 9PT

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H23-0471-23 **Date of Decision:** 17th April 2024

Applicant: VMM Properties Ltd.
Home Farm
Millgate
Whaplode
Spalding
PE12 6RY

Location: Bleu Raye Farm Millgate Whaplode Spalding

Description: Erection of 19 holiday lodges, reception building, facility managers accommodation & maintenance shed, 2 fishing lakes and associated hard and soft landscaping

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

1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

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 and/or documents:

JDA/2023/885/SITE/A2.001
JDA/2023/885/OS.001
JDA/2023/885/MANAGERS.001
JDA/2023/885/BUILDINGS.001
JDA/2023/885/LODGESA2/.001

DC_FINAL_DECISION - ODB:14

JDA/2023/885/LIGHTING.001
JDA/2023/885/LANDSCAPING/A2.001
JDA/2023/885/BIRD BAT BOXES.001
JDA/2023/885/CEMP.001
BIODIVERSITY MITIGATION AND ENHANCEMENT PLAN John Dickie Associates, April 2022
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN John Dickie Associates, April 2022
Archaeological Evaluation Report prepared by Allen Archaeology dated October 2023
Archaeological Evaluation Report - Geophysical Survey prepared by Allen Archaeology dated July 2023
Schedule of Renewable Energy Assets & Energy Efficiency Measures - John Dickie Associates, April 2022
Landscaping Specification John Dickie Associates, April 2022

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

3 Notwithstanding the submitted drainage plans and before the commencement of the development hereby granted beyond oversite, full details of the proposed means of foul and surface water disposal to separate systems shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems.

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 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2023.

4 Prior to the first use of any holiday unit, full details of the arrangement for private refuse/recycling collection shall be submitted to and approved in writing by the Local Planning Authority. The approved management arrangements shall be implemented upon first occupation of any accommodation and thereafter retained for the lifetime of the development.

Reason: This application has been approved on the basis that waste collection will be carried out by a private company and to ensure appropriate arrangements are in place for the collection of refuse/recycling.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

5 The development hereby permitted shall be undertaken in accordance with a Construction Environmental Management Plan by John Dickie Associates, April 2022 and JDA/2023/885/CEMP.001 unless otherwise agreed in writing with the LPA.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East

DC_FINAL_DECISION - ODB:14

Lincolnshire Local Plan, 2019.

6 The management and maintenance schedule for the areas of landscaping, incidental open space, refuse/recycling collection points shall be carried out in accordance with Landscaping Specification and Biodiversity Mitigation and Enhancement Plan, both by John Dickie Associates, April 2022. Thereafter these areas shall be maintained in accordance with the approved details.

Reason: To ensure that adequate provision is made for the management and maintenance of the those areas.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

7 The accommodation hereby permitted shall not be used for purposes other than holiday letting purposes. The accommodation shall not be used as the main residence of any occupant. No resident/group shall stay on site for more that 28 consecutive days. The manager of the site shall keep a record of all bookings which will be made available to the LPA upon request.

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 5 of the National Planning Policy Framework, December 2023 and to Policy 1 of the South East Lincolnshire Local Plan, 2019 which seeks to restrict residential development in the open countryside to that which is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.
This Condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019 and Section 5 of the National Planning Policy Framework, December 2023.

8 The occupation of the managers accommodation hereby permitted shall be limited to a person solely employed in the business occupying the site edged red on the Location Plan (drawing number JDA/2023/885/OS.001). It shall not be occupied until the lodges are complete.

Reason: To ensure that the accommodation is occupied only in association with that business.
This Condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan 2019.

9 Prior to the first use of the reception area, amenities and tea room opening hours of this building shall be submitted to and agreed with the Local Planning Authority. The use hereby permitted shall operate within them hours thereafter.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

10 Prior to the commencement of the use hereby permitted full details of the design, appearance and location of any extract ventilation equipment including any external flues

DC_FINAL_DECISION - ODB:14

contained within the tea room and reception shall be submitted to and approved in writing by the Local Planning Authority. No other equipment other than that so approved shall be installed without the prior written consent of the Local Planning Authority.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the character and appearance of the development, the visual amenity of the area in which it is set and the amenities of nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

11 Finished floor levels of the lodges, manager accommodation and reception shall be set at 300mm above average ground levels unless otherwise agreed in writing with the LPA. They shall be retained that way thereafter.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding and to protect surrounding amenity.
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2023.

12 Other than the 'Site Layout - Lighting Plan' shown on drawing JDA/2023/885/LIGHTING.001 there shall be no external illumination erected across the site. Any additional lighting would require prior written consent of the LPA.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2, 3, 28 and 30 of the South East Lincolnshire Local Plan, 2019.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), the site shall be used only as holiday accommodation ONLY and for no other purpose (including any other purpose in Class(es) C3 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any Order or Statutory Instrument revoking and re-enacting that Order).

Reason: To ensure that the Local Planning Authority retains control over the future use of the site in the interests of the spatial strategy
This Condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

14 The scheme of landscaping and tree planting shown on dwg. no. JDA/2023/885/LANDSCAPING/A2.001 shall be carried out and completed in its entirety during the first planting season following practical completion of the development. 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.

DC_FINAL_DECISION - ODB:14

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 Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

15 Prior to the first occupation details of the arrangement for the removal of waste from site shall be submitted to and agreed in writing with the LPA. The agreed methods shall thereafter be adhered to.

Reason: To ensure that amenity is protected.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

16 Prior to the first occupation/use details of how the lodges, managers accommodation and reception buildings are fixed to the ground shall be submitted to and agreed in writing with the LPA. The agreed methods shall thereafter be incorporated into the building methods.

Reason: To mitigate and reduce the risk of damage to property in the event of flooding.
This Condition is imposed in accordance with Policy 4 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 by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

Should unexpected contamination be discovered on the site at any time, the applicant is advised to contact the District Council's Environmental Protection department immediately.

The applicant is reminded that it is an offence under the Wildlife and Countryside Act, 1981 (as amended) to kill, injure, or take (handle) any protected species occupying a place of shelter or protection and also to take, damage or destroy the nest of any wild bird while that nest is in use or being built. If evidence of bats is found before or whilst the work is carried out you are advised to contact Natural England at their Lincoln office (telephone 03000 603900).

Highway Informative
The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the

highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on

the highway authority website, accessible via the following link: https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb.



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
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		

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.