Kirk Connected Construction Ltd.
Four Seasons House
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Pinchbeck
Spalding
PE11 3YR

Council Offices
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TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H23-0594-22 **Date of Decision:** 3rd August 2022

Applicant: Naylor Farms
Roman Bank
Moulton Seas End
Spalding
PE12 6LG

Location: Adj. Saracen House Washway Road Saracens Head Spalding

Description: Residential Development (3 plots) - approved under H23-0980-17. Removal of Condition 7 relating to1.8m wide footpath.

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 before the expiration of two years from 28 January 2021.

Reason: As required by Section 92 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2 The development hereby permitted shall be carried out in accordance with the following approved plans, except where superceded or amended by a subsequent consent:

H23-0980-17
6368-1;
Flood Risk Assessment (Rev A) by S M Hemmings dated 31 October 2017.

H23-1087-20
SH-001 Rev A;
SH-010 Rev A;

SH-011(C) Rev A;
SH-011(E) Rev A;
SH-015(C) Rev A;
SH-015(E) Rev A;
SH-019 Rev B.

H23-1164-21
Specification for a Programme of Archaeological Observation, Investigation and Recording by Groundworks Archaeology (Version 1) dated March 2021;
Report on a Programme of Archaeological Observation, Investigation and Recording by Groundworks Archaeology (Version 1) dated April 2021.

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

3 The approved scheme of landscaping and tree planting 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.

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.

4 The approved scheme of boundary treatment/screening shall be implemented in full before the development is first brought into use.

Reason: In the interests of the character and appearance of the area and amenities of the locality.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

5 Prior to occupation of any dwelling a 2 metre high closeboarded fence, with 300mm trellising above, shall be erected along the western boundary of the site running from a point level with the front wall of the bungalow on plot 1 to the rear boundary. It shall thereafter be so maintained.

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

6 Existing trees overhanging the western boundary of the site shall be protected during construction work as follows:

i) chestnut pale or similar fencing 1.5 metres in height shall be provided on site around the spread of the trees before development is commenced, or in accordance with details to be submitted to and approved in writing by the local planning authority. No materials,

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equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made,
ii) no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees;
iii) no services shall be routed under the spread of the crowns of the trees;
iv) the trees shall not be trimmed unless first agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of the trees overhanging the site.
This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2021.

7 The development hereby permitted shall be carried out in accordance with the measures set out in the approved Flood Risk Assessment, unless otherwise agreed in writing by the Local Planning Authority. In particular the following measures shall be fully implemented before the property to which they relate is first occupied:
- Finished floor levels shall be set at 3.75m ODN (500mm above existing ground level);
- Flood resilience and resistance measures shall be incorporated into the development up to a height of at least 300mm above finished floor levels.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

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 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. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact vehiclecrossings@lincolnshire.gov.uk

Please contact the 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 within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the

coordination and timings of these works.



Phil Norman
Planning 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		

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.