

David Shaw
5 Port Lane
Castor
Peterborough
Cambs
PE5 7AP

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

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 73 MODIFICATION

Reference: H02-0407-19 **Date of Decision:** 29th July 2019
Applicant: Mr M Greene
The Grange
Postland Road
Crowland
Peterborough Cambs
PE6 0ND
Location: The Old School House Postland Road Crowland
Description: Conversion of building to 3 residential units - approved under H02-1046-17 -
Modification of Condition 2 relating to plans to improve use of space

South Holland District Council hereby give notice that this application 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:

AB0801 B05
AB0212 B06
AB0213 B02
AB0701 B02
2319 View 02 Artist Impression
AL0201 P01
Application Form

From H02-1046-17
Ecology Report
Lockhart Garratt Report August 2018
AL0201 P02

3201 TPP Tree Protection Plan
3201 AIP Arboricultural Implications Plan
Biodiversity survey and report
170060 ELE
170060 FP
SK0001 F01 Artist Impression
AB0211 P01
AB0212 P01
AB0801 P01
AL0101 P01
Heritage Impact Assessment

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

- 2 The scheme of landscaping and tree planting for the site approved under Discharge of Condition approval H02-0100-19 shall be implemented in full. 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 28 of the South East Lincolnshire Local Plan (2019).

- 3 The scheme of hedge planting for the site approved under Discharge of Condition approval H02-0100-19 shall be implemented in full. The scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of twelve months beginning with the date of this permission. All hedging shall be maintained by the owner or owners of the land on which they are situated for the period of ten 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 includes boundary hedge planting, 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 28 of the South East Lincolnshire Local Plan (2019).

- 4 The re-surfacing of car park areas shall be carried out in accordance with the scheme for the site approved under Discharge of Condition approval H02-0100-19.

Reason: To ensure the protection of trees on the site.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan (2019) and national guidance contained in the National Planning Policy Framework, 2018.

- 5 No further development beyond that approved by Planning Permission H02-1046-17 shall take place until the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of

Habitats and Species Regulations 2017 authorizing the specified development to go ahead; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve and enhance biodiversity in accordance with policy 28 of the South East Lincolnshire Local Plan (2019).

- 6 The Biodiversity Management Plan which has been submitted to and approved in writing by the Local Planning Authority under Discharge of Condition H02-1201-18 shall be implemented in full.

The details include:

- a) Details of measures to avoid harm to hedgehogs, bats and nesting birds during vegetation clearance and construction works;
- b) Details of bat roosting features to be installed;
- c) Details of nesting sites to be installed to support a variety of bird species;
- d) Restrictions on lighting to avoid impacts on bat roosts, bat foraging areas bird nesting sites and sensitive habitats;
- e) Prescriptions for the planting and aftercare of native trees and shrubs of high biodiversity value;
- f) Proposed timings for the above works in relation to the completion of the dwellings.

Reason: To conserve and enhance biodiversity in accordance with policy 28 of the South East Lincolnshire Local Plan (2019).

- 7 The Biodiversity Management Plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority.

The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason: To conserve and enhance biodiversity in accordance with Policy 28 of the South East Lincolnshire Local Plan (2019).

- 8 The scheme of proposed boundary treatment for the site approved under Discharge of Condition approval H02-0100-19 shall be implemented in full before the development is first brought into use.

Reason: 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 2 of the South East Lincolnshire Local Plan (2019).

- 9 The external materials of construction of buildings and hard surfaced areas shall be constructed in accordance with the materials so approved under Discharge of Condition

application H02-0100-19.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the integrity of the listed building, 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 29 of the South East Lincolnshire Local Plan (2019).

- 10 The roof light(s) shall be installed in accordance with the approved details approved under Discharge of Condition approval H02-0100-19, and thereafter so maintained.

Note: The applicant is advised that a flush fitting rooflight of traditional design, having a slim metal frame and central vertical glazing bar, would be appropriate.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the integrity of the listed building, 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 29 of the South East Lincolnshire Local Plan (2019).

- 11 The development hereby permitted shall carried out in complete accordance with the land contamination measure set out in the documents approved under Discharge of Condition approval H02-1260-18, and the measures approved in that scheme shall be fully implemented.

Note

The applicant is advised that the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

The applicant's attention is also drawn to the document entitled "Developing Land Within Lincolnshire - A guide to submitting planning applications to develop land that may be contaminated", which can be obtained through the Local Environmental Health Department.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

Notes:

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.

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).

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
Planning and Building Control 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 Authority 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.