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

Mr A Liquorish
Red Robin Lodge
Maisdyke Lane
Fleet
Spalding
PE12 8NH

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H05-0025-21 **Date of Decision:** 23rd March 2021

Applicant: Mr A Liquorish
Red Robin Lodge
Maisdyke Lane
Fleet
Spalding
PE12 8NH

Location: Red Robin Lodge Maisdyke Lane Fleet Spalding

Description: Proposed conversion of barn to dwelling - approved under H05-0373-19. Modification of Conditions 4, 5 & 13 to allow upvc wood grain anthracite finish to windows and doors in lieu of timber. Garage doors to remain in timber

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:

Accompanying application ref. H05-0632-15: Site Location Plan (1:1250), dwg. no's: SD15-019/1 and SD15-019/2, Protected Species Survey prepared by Andrew P. Chick (dated June 2015), Structural Survey prepared by Brierley & Co (dated 4th June 2015) and Flood Risk Assessment prepared by Geoff Beel Consultancy (dated June 2015).

Accompanying application ref. H05-0373-19: SD16-008/3J; SD16-008/4G; SD16-008/6E;

Accompanying application ref. H05-1021-19: SD16-008/Sheets 1 & 2; SD16-008/Sheet 3; SD16-008/Sheets 4-9; GGL-EDN-0114-110; Stage 1: Desktop Study and Preliminary Risk Assessment Report (No. YE3093 dated May 2017) by Your Environment and Appendices.

Accompanying application ref. H05-0025-21: Liniar Windows Specification; Photographs showing finish and colour of windows and doors;

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

2 All structural alterations shall be carried out in accordance with details shown on the approved plans and the structural report accompanying planning application H05-0632-15, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To define the terms of the permission. Planning permission is only granted for conversion of the existing building(s) by virtue of the architectural and historic quality of the building(s). Significant alteration and reconstruction would be tantamount to the erection of a new dwelling in the open countryside which would be contrary to Policy 23 of the South East Lincolnshire Local Plan, 2019.
This Condition is imposed in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019.

3 All new brickwork (including brick bond and mortar mix) and roofing slates shall match that existing as closely as possible, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the architectural and historic character of the existing buildings, and the character and visual amenity of the locality.
This Condition is imposed in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019

4 The external doors and door frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: In the interests of the architectural and historic character of the existing buildings, and the character and visual amenity of the locality.
This Condition is imposed in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019

5 The window frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: In the interests of the architectural and historic character of the existing buildings, and the character and visual amenity of the locality.
This Condition is imposed in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019

6 The roof light(s) shall be installed in accordance with details accompanying condition compliance application ref. H05-1021-19 and thereafter so maintained.

Reason: In the interests of the architectural and historic character of the existing buildings, and the character and visual amenity of the locality.
This Condition is imposed in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019.

7 External boxes for gas and electricity supplies and gas flues and soil vent pipes shall be

installed in accordance with details accompanying condition compliance application ref. H05-1021-19.

Reason: In the interests of the architectural and historic character of the existing buildings, and the character and visual amenity of the locality.
This Condition is imposed in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019

8 The approved scheme of landscaping accompanying application ref. H05-0373-19 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 2 of the South East Lincolnshire Local Plan, 2019.

9 The approved scheme of boundary screening accompanying application ref. H05-0373-19 shall be implemented in full before the development is first brought into use and thereafter be retained in its entirety.

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

10 External illumination shall be in accordance with details accompanying condition compliance application ref. H05-1021-19.

Reason: In the interests of the architectural and historic character of the existing buildings and to prevent light pollution.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

11 No further development shall be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures:
i) a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.
ii) thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted to

and approved in writing by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the LPA.
iii) two full copies of a full closure report shall be 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.

Note
The applicant is advised that the phased risk assessment required by 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 address any pollution and to ensure a satisfactory development.
This Condition is imposed in accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan, 2019

12 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment prepared by Geoff Beel Consultancy (dated June 2015) accompanying planning application H05- 0632-15 and in particular the following mitigation measures detailed within:
- Finished floor levels shall be set no lower than 2.60m AOD.
- The development shall incorporate safe refuge and sleeping accommodation at first floor level.
- Flood resilient/resistant construction measures shall be incorporated throughout the development to a minimum height of 300mm above finished floor levels.

The mitigation measures shall be fully implemented prior to occupation.

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, 2019.

13 The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.

Reason: In the interests of the architectural and historic character of the existing buildings, and the character and visual amenity of the locality.
This Condition is imposed in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019

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14 The guttering to the development hereby permitted shall be fixed to the external walls by means of gutter spikes/rise and fall brackets and no fascia boarding shall be used.

Reason: In the interests of the architectural and historic character of the existing buildings, and the character and visual amenity of the locality.
This Condition is imposed in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019

15 Mitigation measures to protect bats, Barn Owls and nesting birds shall be carried out in accordance with the approved Protected Species Survey, prepared by Andrew P. Chick (dated June 2015) accompanying planning application H05-0632-15.

Reason: In the interest of nature conservation and because owls and bats are protected under the Wildlife and Countryside Act, 1981.
This Condition is imposed in accordance with advice within Section 15 of the National Planning Policy Framework, 2019.

16 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), none of the following developments or alterations shall be carried out:
i) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
ii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows;
iii) cladding, rendering or painting external walls.

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of the architectural and historic character of the existing buildings, and the character and visual amenity of the locality.
This Condition is imposed in accordance with Policy 23 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 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 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).



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		

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.