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G R Merchant Ltd
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Holbeach
Spalding
PE12 7EE

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H05-1067-23 **Date of Decision:** 26th April 2024

Applicant: Mrs A Wright
The Coach House
Haycroft Lane
Fleet
Spalding
PE12 8LB

Location: Land Adj The Coach House Haycroft Lane Fleet Spalding

Description: Change of use from agricultural land to paddocks including stables, barn and menage

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:

Application Form
4198-23 01C
4198-23 02A
4198-23 03A
Flood Risk Assessment by Ellingham Consulting Ltd dated December 2023

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

3 The use of the outdoor equestrian menage, barn, stables and field shall be restricted to, and only be used and operated for, purposes and personal benefit of the the occupants of the associated dwelling, The Coach House, Haycroft Lane, Fleet, Spalding, PE12 8LB and at no time shall function as a commercial equestrian use or activity.

Reason: To define the terms of the permission and to ensure that the scale of the use is restricted to personal use only and not a commercial equestrian use.
This Condition is imposed in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4 No floodlights or other forms of external lighting, other than that shown on plans 4198-23 02A and 4198-23 01C, shall be installed within the curtilage of the site. The lighting so specified shall be retained thereafter in accordance with the approved details.

No lighting shall be installed to the external walls or roof of the barn.

Lighting for the stables should be over stable doors only, and not installed on the external facing walls or roof of the stable.

No additional floodlights or other forms of external lighting shall be installed to serve the proposed use/development, without first obtaining prior written permission from the Local Planning Authority.

The lighting to the menage, internal lighting to the barns and stables, and external lighting over the stable doors is to be switched off between the hours of 10pm until 7am Mondays to Sundays, and shall utilise angled, and hooded lighting directed downwards in accordance with the approved details on plans 4198-23 02A and 4198-23 01C to avoid significant light spillage to adjoining areas and hedgerows, and to avoid glare or light nuisance to nearby properties.

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 at appropriate times.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

5 Before the commencement of the development hereby permitted beyond oversite, details of the external materials of the walls, hard surfaced areas and roof tiles to be used for the roof of the stables and barn hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority, and all materials used in the development shall conform to the details so approved and be retained thereafter.

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

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6 Manure, stable sweepings and other waste shall only be stored and disposed of in the location and manner specified in the application, and no burning of manure, stable sweepings, bedding or other waste shall take place anywhere on the site.

The provision for such waste storage and disposal, as permitted, shall be made available before the first use of the development hereby permitted and shall be so maintained at all times thereafter.

Reason: To prevent pollution and to protect the amenity of nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 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

Highways Note

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

Anglian Water Note

The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout. They can do this by accessing our infrastructure maps on Digdat. Please see Anglian Water's website for further information: https://www.anglianwater.co.uk/developers/development-services/locating-our-assets/

Please note that if diverting or crossing over any of Anglian Water's assets permission will be required. Please see Anglian Water's website for further information: https://www.anglianwater.co.uk/developers/drainage-services/building-over-or-near-our-

assets/

Your attention is drawn to the letter from South Holland Internal Drainage Board dated 28/12/2023. You are advised of the need to comply with the requirements of the Drainage Board, which are covered by their own Bye-laws. You are further advised that any future amendments to this application and/or compliance with Conditions must also respect those Bye-laws. Please contact the Drainage Board directly for further information.



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.