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 & Mrs L Russell
3 The Rookery
Lutton
Spalding
Lincs
PE12 9LN

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H06-0167-16 **Date of Decision:** 25th April 2016

Applicant: Mr & Mrs L Russell
3 The Rookery
Lutton
Spalding
Lincs
PE12 9LN

Location: Maple Tree Farm Lutton Garnsgate Long Sutton Spalding

Description: Conversion of farm buildings to residential dwelling

South Holland District Council hereby give notice that this application 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: Dwg. No's: A100B, A101, A102, AR1000, AR2010, AR2000, AR2011, Revised Flood Risk Assessment (prepared by Geoff Beel Consultancy, dated March 2016), Protected Species Survey (prepared by Andrew Chick, dated February 2016) and Structural Survey (prepared by JC Consultancy, dated February 2016).

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

3 The development hereby permitted shall not 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 desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk- top study and a non-technical summary shall be submitted to the LPA without delay upon completion.
ii) if identified as being required following the completion of the desk-top study, 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.
iii) 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.
iv) 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 assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan, 2006.

4 No works of demolition/reconstruction or replacement of the existing fabric of the building(s) shall be undertaken other than those works indicated on the approved plans and Structural Survey (prepared by JC Consultancy, dated February 2016).

Note: You are advised that should it become necessary during conversion to undertake works beyond those approved by this condition then this planning permission may become invalid and the development treated as the erection of a new building which will necessitate the submission of a planning application for such. That application will be considered under relevant local planning policies and may not be acceptable.

Reason: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 national guidance contained in Sections 6, 7 and 12 of the National Planning Policy Framework, 2012, and Policies HS7 and HS16 of the South Holland Local Plan 2006. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy HS16 of the South Holland Local Plan 2006.

5 A one metre square freestanding panel of brickwork showing the type of brick to be used in the development shall be constructed on site and approved by the Local Planning Authority before commencement. All brickwork used in the construction of the development shall match that of the approved panel in terms of the type of bricks used, the method of bonding, mortar colour and pointing style. The brickwork panel so constructed shall be retained on the site until the development has been completed.

Note: The choice of brick bond, mortar mix design and pointing technique shall match that existing, as closely as possible.

Reason: To ensure that the Local Planning Authority retains control over these details 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 issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy HS16 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

6 Details of the design of all external doors and door frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), threshold and lintol detailing, and means of opening. The doors and door frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: To ensure that the Local Planning Authority retains control over these details 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 HS16 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

7 Details of the window frames to be utilised in the development hereby permitted, including samples if so required, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), cill and lintol detailing, and means of opening. The window frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: To ensure that the Local Planning Authority retains control over these details 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 HS16 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

8 Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details 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 HS16 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

9 Before the commencement of the development hereby permitted, full details of the proposed soakaway system for the disposal of surface water from the development hereby permitted, including percolation test results, shall be submitted to and approved in writing by the Local Planning Authority. Should the percolation test results be considered unacceptable by the Local Planning Authority details of an alternative means of providing for surface water drainage shall be submitted for consideration. The approved means of surface water drainage shall be implemented in full before the development hereby permitted is first brought into use.

Reason:To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies SG11 and SG13 of the South Holland Local Plan 2006, and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

10 Details of the external illumination of all buildings and areas of the site, including details of luminance and fields of illumination, shall be submitted to and approved in writing by the Local Planning Authority before the first use of those buildings and areas and there shall be no external illumination other than that so approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, 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 Policies SG13 and HS16 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

11 Mitigation measures to wildlife shall be carried out in accordance with the approved Protected Species Survey, prepared by prepared by Andrew Chick, dated February 2016.

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 11 of the National Planning Policy Framework, 2012.

12 The scheme of landscaping and tree planting shown on dwg. no. A101 shall be carried out in its entirety within the first planting and seeding seasons following the occupation of the building or the completion of the development , whichever is the sooner.
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 SG18 of the South Holland Local Plan, 2006.

13 All new window frames, glazing bars and external door frames shall be of timber construction, stained dark brown 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 HS16 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

14 The rainwater goods utilised in the development hereby permitted shall be of metal construction, 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 HS16 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

15 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 HS16 of the South Holland Local Plan 2006 and national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

16 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (dated March 2016) and in particular the following mitigation measures:
-Finished floor levels shall be set no lower than 3.52mAOD.
-The development shall be a minimum of two storeys.
-Flood resilient and resistant construction measures shall be incorporated throughout the development as stated.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing I phasing arrangements embodied within the scheme , or within any other period as may subsequently be agreed, in writing , by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.
This Condition is imposed in accordance with national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

17 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 freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
ii) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
iii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows.

Reason: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity, levels of residential amenity and the visual amenity and character of the area within which it is set.
This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan, 2006.

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

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.



Paul Jackson
Place 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 Authroity 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.