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TOWN AND COUNTRY PLANNING ACT 1990

PRIOR NOTIFICATION

Reference: H06-0648-16 **Date of Decision:** 22nd August 2016
Applicant: C Wright and Son (Gedney) Ltd
White House Farm
Main Street
Gedney Dyke
Spalding Lincs
PE12 0AJ
Location: C Wright And Son (Gedney) Ltd White House Farm Main Street Gedney Dyke
Description: Change of use of agricultural building into a 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 shall be commenced within a period of three years from the date of this approval of details.

Reason: In accordance with Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Dwg. nos. WRIGHT-01, WRIGHT-02, WRIGHT-03, WRIGHT-04 and WRIGHT-05;
Revised Flood Risk Assessment by DC Architectural Services Ltd (issue 3, dated March 2016).

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

- 3 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 other than those shown on the approved plans:

- i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
- ii) the erection of 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 Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

- 4 Before any work is commenced on the buildings, elevational and cross sectional plans of the buildings at a scale of not less than 1:100 illustrating the extent of any proposed demolition and reconstruction including the proposed replacement of any of the existing roof structure and roof timbers shall be submitted to and approved in writing by the Local Planning Authority. No works of demolition/reconstruction or replacement of the existing fabric of the buildings shall be undertaken other than those works so approved.

Reason: Significant alteration and reconstruction would be contrary to Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

- 5 All new and replacement brickwork utilised in carrying out the development hereby permitted shall match as closely as possible that of the existing building to which it relates in terms of the type of brick, mortar mix and method of bonding.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

- 6 Before work is commenced on the roof full details of the roof tiles, including samples if so required, to be used for the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and all tiles used in the development shall conform to the details/samples so approved.

Note: The roofing material shall be clay pantiles or traditional slates.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

- 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 installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing, cill and lintol detailing, and means of opening. The window frames shall be constructed in timber and 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 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 Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

- 8 Details of the design of all external doors and external boarding to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to installation. All external doors and boarding used in the development shall be constructed in timber and conform to 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 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 Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

- 9 Full details, including samples if so required, of the proposed roof lights shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The roof lights shall be installed in accordance with the approved details and thereafter so maintained.

Note: The applicant is advised that roof lights which reflect the design of traditional cast iron roof lights would be appropriate with a central vertical glazing bar.

Reason: To ensure that the Local Planning Authority retains control over these details 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 Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

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

Reason: In the interests of the appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

- 11 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 composition and appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Class Q of Part 3 of Schedule 2 of the Town

and Country Planning (General Permitted Development) Order 2015.

- 12 Before any works are commenced on the buildings details of an ecological survey carried out to determine the presence of any protected species on site, including owls, bats and nesting birds, shall be submitted to and approved in writing by the Local Planning Authority. If protected species are present a working design, method and timetable to mitigate any harm to the species involved shall be submitted to and approved in writing by the local Planning Authority before the use commences.

Reason: In the interest of nature conservation and because owls, bats and nesting birds are protected species.

This Condition is imposed in accordance with the Wildlife and Countryside Act, 1981.

- 13 No development to which this permission relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate recording of the buildings, which are of historic interest.

This condition is imposed in accordance with Section 12 of the National Planning Policy Framework, 2012.

- 14 No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. An assessment of significance and proposed mitigation strategy (i.e preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

- 15 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 14 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

- 16 A copy of the final report required in connection with condition 14 above shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 12 of the National Planning Policy Framework, 2012.

- 17 The development hereby permitted shall be carried out in general accordance with the measures set out in the Flood Risk Assessment forming part of this planning application and in particular the following flood mitigation measures:
- i) Finished floor levels shall be set 300mm above existing ground level;
 - ii) the dwelling shall be two storey;
 - iii) Flood resilient and resistant construction measures shall be incorporated throughout the development as stated.
- 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 Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

Notes:

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).



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 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.