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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H06-1312-16 **Date of Decision:** 23rd February 2017

Applicant: Mr & Mrs P Smith
Bleak House Farm
Dawsmere Road
Gedney Drove End
Spalding
PE12 9NW

Location: Bleak House Farm Dawsmere Road Gedney Drove End Spalding

Description: Conversion of first floor of barn to self contained annexe

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. nos. 1657-01, 1657-02 and 1657-03;
Flood Risk Assessment for Conversion of Barn to Self-Contained Annexe at Bleak House.

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

3 The development hereby permitted shall only be used as a residential annexe to the main house (currently known as Bleak House Farm) and shall only be occupied by family members. It shall not be sold or let off separately.

Reason: The annexe would constitute a sub standard unit of living accommodation in terms of its relationship to and shared amenities with the existing dwelling.
This condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan,2006.

4 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (FRA) forming part of this planning application and the following mitigation measures:
- The development shall be located at first floor level of the barn (no habitable ground floor);
- Finished floor levels shall be set no lower than 2.80m above existing ground level;
- Flood resilience and resistance measures shall be incorporated into the development as stated in the FRA.
The mitigation measures shall be fully implemented prior to occupation.

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.

5 Notwithstanding the provisions of the Town & 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 without the prior written approval of the Local Planning Authority:
i) the erection of extensions including dormer windows and conservatories
ii) 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 and the visual amenity and character of the area within which it is set.
This condition is imposed in accordance with Policies SG14 and SG20 of the South Holland Local Plan, 2006 and advice within Sections 7 and 12 of the National Planning Policy Framework, 2012.

6 All new and replacement brickwork shall match that of the original building, as closely as possible, in terms of the type of brick, mortar mix and method of bonding.

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 Policies SG14 and SG20 of the South Holland Local Plan, 2006 and advice within Sections 7 and 12 of the National Planning Policy Framework, 2012.

7 The external material to be used for the roof shall be natural slate or in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details

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 Policies SG14 and SG20 of the South Holland Local Plan, 2006 and advice within Sections 7 and 12 of the National Planning Policy Framework, 2012.

8 All rainwater goods shall be black and fixed to the walls by means of rise and fall brackets.

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 Policies SG14 and SG20 of the South Holland Local Plan, 2006 and advice within Sections 7 and 12 of the National Planning Policy Framework, 2012.

9 All windows and external doors shall be constructed in timber.

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 Policies SG14 and SG20 of the South Holland Local Plan, 2006 and advice within Sections 7 and 12 of the National Planning Policy Framework, 2012.

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

Future occupants are advised to register with the Environment Agency's free Floodline Warnings Direct Service.



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.