Cooper Architectural Design
90 Winsover Road
Spalding
Lincolnshire
PE11 1HA

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE

Reference:	H08-0753-26	**Date of Decision:**	13th October 2026
Applicant:	John Grant (Donington) Pen. Scheme C/O R Longstaff & Co 5 New Road Spalding PE11 1BS		
Location:	Land Between 31 & 35 Westhorpe Road Gosberton Spalding		
Description:	Proposed residential development - single dwelling		

South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been GRANTED (or equivalent) for the development referred to above, subject to the following condition(s):

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission, or two years from the approval of the last of the reserved matters, whichever is the later.

Reason: To ensure that the development is commenced in a timely manner, as required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 Details of all reserved matters, as set out below, shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:

i) layout
ii) scale
iii) appearance of the building(s) (including a schedule of external materials to be used);
iv) the means of access to the site; and
v) the landscaping of the site (including boundary treatment).

Approval of all reserved matters, as detailed above, shall have been obtained from the Local Planning Authority in writing, before any development is commenced.

The development shall be carried out as approved.

Reason: To ensure the Local Planning Authority can control development in detail, and to ensure that the development is commenced in a timely manner, as required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3 An application for approval of reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

4 The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

- 1715-01-A - Location Plan, Block Plan - Existing, Block Plan - Proposed
- Design & Access Statement incorporating Flood Risk Assessment, prepared by Cooper Architectural Design

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

5 The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment forming part of this planning application. In particular, the following measures shall be fully implemented before the property is first occupied:

- The Finished Floor Level of any new dwelling will be set at 3.70 O.D.
- The new dwelling will be single story with a place of refuge in the roof space.
- The applicant will register with the Environment Agency's Flood line Warnings Direct Service.

Note: The above approved plan does not constitute final approval of detailed site levels or finished floor levels.

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 Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 18 of the National Planning Policy Framework, 2026.

6 Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and the proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be

constructed and retained in accordance with the details so approved.

Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: To reduce the risk of flooding of the development and to ensure that the Local Planning Authority retains control over the finished site and floor levels of the development, in the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent 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 Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Sections 14 and 18 of the National Planning Policy Framework, 2026.

7 When an application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance. Such a scheme shall require the approval of the Local Planning Authority, before any development is commenced.

Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. 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, in the opinion of the Local Planning Authority, shall be made good as and when necessary.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development. The submitted landscaping proposals shall demonstrate that Biodiversity Net Gain will be achieved on site, using the Biodiversity Metric 4.0 (or any successor).

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

8 Before any development beyond oversite is commenced, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved 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

DC_FINAL_DECISION - ODB:14

increased risk of flooding.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and Section 18 of the National Planning Policy Framework, 2026.

9 Before any development beyond oversite is commenced, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained and to avoid pollution.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

10 The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district.
This Condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

11 When an application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging. The details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

12 Prior to the commencement of the development hereby permitted beyond oversite, details of the installation of universal nest bricks in accordance with best-practice guidance (such as British Standard BS 42021:2022) and details of the installation of bat boxes, shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the number, location and specification of those to be installed.

The measures so approved shall be implemented in full prior to the first occupation of the

development hereby permitted and shall be retained for the lifetime of the development thereafter.

Reason: To enhance biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and policy N2 of the National Planning policy Framework, 2026.

13 Should consent be granted from the custodian of the tree: The Root Protection Area of the adjacent sycamore tree subject of a Tree Preservation Area should be calculated as in British Standard 5837: 2012. (Otherwise taken to be one metre outside the natural canopy spread.)
During construction, roots can easily be damaged due to actual physical damage and the effects of soil compaction, which can alter the amount of oxygen and water which reaches them.

Reason: To ensure the long term protection of preserved sycamore tree on the site.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

14 The Root Protection Area of the mature sycamore in the neighbouring property to the east of the site shall be protected before any heavy equipment is brought on site for clearance and during construction work as follows:

Chestnut paling or welded mesh fencing of at least 1.5-2.0 metres in height shall be securely erected around the place where the Root Protection Area of the adjacent sycamore subject of a Tree Preservation Order overhangs the site, as in British Standard 5837: 2012.

To protect the roots and canopy of the tree, throughout the construction process.

Where the construction of an access is unavoidable beneath the tree, or there is physically not room to erect a barrier as specified, every effort should be made to protect as much of the Root Protection Area as is possible, even if on a temporary basis. If encroachment in the Root Protection Area cannot be avoided, a ground protection product should be used to prevent ground compaction.

The same applies where possible to the hedgerow on the eastern boundary of the site, to keep root damage to a minimum.

i) No materials, equipment, site huts, fuels or other items including cement washings, shall be placed or stored within the areas enclosed by the fencing so erected, nor shall any excavation be made.

ii) No burning of materials or other items shall take place within 3 metres of the crown spread of any of the tree/hedge to be retained.

iii) No services shall be routed within the Root Protection Area if calculated (or one metre outside the natural canopy spread) of the tree/hedgerow to be retained.

iv) The soil levels should not be altered around the base of the tree/hedgerow. An

DC_FINAL_DECISION - ODB:14

increase in soil level around the base can make conditions adjacent to the trunk(s) damp and suitable for fungal growth. It can also increase the distance for water / gaseous exchange to the roots. Obviously, a lowering of the soil level can expose roots. Both can be detrimental to the health of the tree/hedge.

Reason: To ensure the long term protection of preserved sycamore tree on the site.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

15 A 'no dig' method should be used where roadways/driveways/paths are within Root Protection Areas. A cellular confinement system filled with gravel or other permeable filling is likely to be appropriate as a surface treatment to help prevent compaction of soil over tree roots and allow the free flow of water and oxygen. Construction should take note of the Arboricultural Advisory and Information Service publication: APN 12 Driveways Close to Trees.

Reason: To ensure the long term protection of preserved sycamore tree on the site.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

16 A Tree Works Application must be made to carry out any required works to the adjacent sycamore tree, which is the subject of a Tree Preservation Order. (All tree works to be carried out to British Standard 3998 2010)

Reason: To ensure the long term protection of preserved sycamore tree on the site.
This Condition is imposed in accordance with Policies 2 and 3 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

Biodiversity Net Gain

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

The effect of Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan, or

(c) the development is exempt from the biodiversity gain condition.

For guidance on the contents, in respect of the details that must be submitted and agreed by the Local Planning Authority, prior to the commencement of the consented development, please see the GOV.uk website and Planning Practice Guidance.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at
https://www.gov.uk/guidance/biodiversity-net-gain.

Based on the information available and submitted in support of this application, the Local Planning Authority considers that the development hereby permitted is exempt and therefore will not require the approval of a biodiversity gain plan, prior to the commencement of development; with the development comprising a statutory exemption as listed below: -

The development is exempt by virtue of the development site being under 0.2ha in size.

As such, the development hereby permitted will not be subject to the biodiversity gain condition.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

For clarity the LPA do not consider that irreplaceable habitats are present at this site.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where

(a) a biodiversity gain plan was approved in relation to the previous planning permission

("the earlier biodiversity gain plan"), and

(b) the conditions subject to which the planning permission is granted:

(i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.



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 team for further information on 01775 764557 or bcadmin@sholland.gov.uk

BUILDING REGULATIONS 2010:
The plans given approval as part of this application, may require the provision of additional information or amendment to show compliance the relevant requirements of the Building Regulations 2010. Typical circumstances include, highly glazed extensions achieving compliance with requirement L1 (Conservation of fuel and power) which may influence the areas of glazed elements/ building elevations, or requirement B1 (Means of warning and escape) which may influence an internal layout for fire safety purposes. Please contact the Building Control team 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://appeal-planning-decision.service.gov.uk/before-you-start**. 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.