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PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

LISTED BUILDING

Reference: H09-0122-25 **Date of Decision:** 12th May 2025
Applicant: Mr & Mrs W Van Den Brande
Chestnut House North
Pennyhill
Holbeach
Spalding
PE12 8DN
Location: Chestnut House North Pennyhill Holbeach Spalding
Description: Conversion of barn to living accommodation, extension to link including replacement wall & parking upgrade

South Holland District Council hereby give notice that CONSENT HAS BEEN GRANTED for the works in accordance with the application and plans submitted, subject to the following conditions:

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The works hereby consented shall be carried out in accordance with the following approved plans and/or documents:
 - Application Form
 - Location Plan, Existing Site Plan & Proposed Site Plan - 4300-24 03
 - Existing & Proposed Elevations - 4300-24 02B
 - Existing & Proposed Floor Plans - 4300-24 01C
 - Heritage Impact Assessment - 4300-24 - G R Merchant Ltd

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

- 3 The brickwork and roofing tiles of the development hereby permitted shall match as closely as possible those of the principal existing dwelling on the site.

Reason: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this listed building. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2024.

- 4 A one metre square freestanding panel of brickwork showing the type of brick to be used in the construction of the development hereby permitted shall be constructed on site and approved by the Local Planning Authority before the commencement of the development hereby permitted beyond oversite. All new brickwork 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 hereby approved has been completed.

Note: The applicant is advised that a buff coloured mortar (white Portland cement or similar with sharp yellow/orange sand) with flush, 'bagged' finish to reveal the aggregate in the mortar would be appropriate.

Reason: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this listed building. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2024.

- 5 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: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this listed building. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2024.

- 6 Details of the window 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), 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: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this listed building. This Condition is imposed in

accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2024.

- 7 The accommodation hereby permitted shall be and shall remain incidental to the use of the dwelling known as Chestnut House North. The accommodation/building shall not be sold or let off separately, and shall be used only by members of the family of the occupier of that dwelling.

Reason: The Local Planning Authority consider that the proposed annexe would be inappropriate for occupation independent of the main dwelling by virtue of the substandard level of accommodation of the annexe and the physical relationship between the annexe and the main house which would create inadequate levels of residential amenity for the occupiers of both. Furthermore, independent occupation of the annexe would be tantamount to the formation of a new dwelling in the open countryside which would be contrary to national guidance contained in Section 5 of the National Planning Policy Framework, December 2024 and Policy 1 of the South East Lincolnshire Local Plan, 2019.

This Condition is imposed in accordance with Policies 1 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 5 of the National Planning Policy Framework, December 2024.

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>



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.