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Moulton Land and Planning Ltd
7 Broad Lane
Moulton
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PE12 6PN

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H09-0206-18 **Date of Decision:** 26th April 2018

Applicant: Mr J Roberts
Old Bakemill House
Hurn Bank
Holbeach Hurn
Spalding Lincs
PE12 8JQ

Location: Old Bakemill House Hurn Bank Holbeach Hurn Spalding

Description: Proposed 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. 1 (Topographical Survey);
Dwg. no. ROB01/pl 001;
Dwg. no. ROB01/pl 002;
Dwg. no. ROB01/pl 003;
Flood Risk Assessment by S M Hemmings dated 16 February 2018.

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

3 Within 3 months of occupation of the new dwelling the "Former Mill House" indicated on drawing no. ROB01/pl 001 shall be demolished and associated rubble cleared from the site.

Reason: To define the terms of the permission.
This Condition is imposed in accordance with Policy HS17 of the South Holland Local Plan 2006 and advice within Section 6 of the National Planning Policy Framework.

4 Within 3 months of occupation of the new dwelling all residential caravans/mobile homes shall be permanently removed from the site.

Reason: To define the terms of the permission.
This Condition is imposed in accordance with Policy HS17 of the South Holland Local Plan 2006 and advice within Section 6 of the National Planning Policy Framework.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (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 house extensions including dormer windows, conservatories, garages, car ports or porches;
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 Policy HS17 of the South Holland Local Plan 2006, which indicates that replacement dwellings should be of similar scale and of appropriate rural design.

6 Before the commencement of the development hereby permitted beyond oversite a full schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction 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 Policy SG14 of the South Holland Local Plan, 2006.

7 Before the commencement of the development hereby permitted beyond oversite, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. 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.

8 The following flood mitigation measures shall be fully implemented before the properties are occupied:
- Finished floor levels shall be set 300mm above existing ground level;
- Flood resilient construction shall be incorporated within the development up to 300mm above finished floor levels.

Note - Future occupiers are advised to register with the Environment Agency's Floodline Warnings Direct Service.

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 national guidance contained in Section 10 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

Please contact Lincolnshire County Council Streetworks & Permitting team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required in the public highway in association with this application. This will enable Lincolnshire County Council to assist you in the coordination and timings of such works.

Your attention is drawn to advice from the South Holland Internal Drainage Board dated 16 March 2018 relating to Byelaw 10 in particular.



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.