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Ms S Munn
8 Mondemont Close
Holbeach
Spalding
Lincolnshire
PE12 7EP

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H09-0790-23 **Date of Decision:** 3rd November 2023

Applicant: Ms S Munn
8 Mondemont Close
Holbeach
Spalding
Lincolnshire
PE12 7EP

Location: Land West Of Fensever Further Old Gate Holbeach Spalding

Description: Change of use from agricultural to equestrian for personal use

South Holland District Council hereby give notice that permission 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 and/or documents:

Location Plan
Block Plan

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

3 This permission shall operate for the personal benefit of Stephanie Munn and at no time shall function as a commercial equestrian use the use hereby approved shall be

terminated at such time as Stephanie cease(s) to occupy the premises.
Reason: To reinforce the terms of the permission and to mitigate against highways safety, amenity and flood risk impacts in line with policies 32, 30 and 4 of the South East Lincolnshire Local Plan

4 No burning of manure, stable sweepings or other waste shall take place anywhere on the site, and full details of the proposed method of storage and disposal of waste from the stable building/paddocks, including the location of storage and frequency of off-site disposal, shall be submitted to and approved in writing by the Local Planning Authority within 3 months from the date of this permission. The method of waste storage and disposal shall at all times thereafter accord with the approved details.

Reason: To prevent pollution and to protect the amenity of nearby residents. This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

5 There shall be no external lighting installed across the site unless prior written consent is first received from the local planning authority.

Reason: In the interest of amenity and character and to accord with policies 2 and 3 of the South East Lincolnshire Local Plan

Notes:

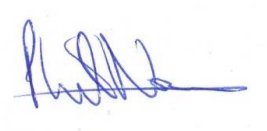
Section 23, Land Drainage Act 1991
The presence of a Board Maintained watercourse F72 No 3 Drain - North (DRN197P7201) adjacent to the northern site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).
I also note the presence of watercourses which are not maintained by the Board (riparian watercourses) adjacent to the western, eastern and southern site boundaries. Whilst not currently proposed, should the applicant's proposals change to include works to alter these riparian watercourses, or if works are proposed to alter them at any time in the future, consent would be required under the Land Drainage
Act 1991 (and byelaw 4).

Byelaw 10
Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the aforementioned Board Maintained watercourse adjacent to the northern boundary, or if works within 9 metres of the watercourse are proposed at any time in the future (including, but not limited to,the installation of fencing), consent would be required under Byelaw 10.

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
Head of Planning
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.