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T A C Architects
14 Old Fendike Road
Weston Hills
Spalding
PE12 6DD

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H13-0293-22 **Date of Decision:** 17th May 2022

Applicant: Mr J Kilkenny
C/O T A C Architects
14 Old Fendike Road
Weston Hills
Spalding
PE12 6DD

Location: Site At Plough Inn Woodgate Road Moulton Chapel Spalding

Description: Proposed one 3 bedroom & one 4 bedroom detached dwellings - approved under H13-0329-15. Modification of Condition 12 to allow windows to be uPVC in lieu of wooden windows

South Holland District Council hereby give notice that permission has been GRANTED (or equivalent) subject to the following condition(s):

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
H13-0329-15
15/405/PA/001 excluding details of bricks, tiles and windows
15/405/PA/002A excluding details of bricks, tiles and windows

H13-0993-15
15/405/PA/006A
15/405/PA/007A
Archaeological Report (Ref. APS Report No. 95/15 dated October 2015)
Contamination Report (Ref 921/3789/P dated October 2015)

H13-0293-22
15/405/PA/009
15/405/PA/008

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

2 The approved scheme of landscaping shall be carried out in its entirety within a period of 6 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 Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

3 Within 6 months of the commencement of development boundary hedging shall be planted in accordance with the approved details. All hedging on site shall be maintained by the owner or owners of the land on which it is 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 includes boundary hedge planting, in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4 All new brickwork shall be in accordance with the approved details.

Note: The brick bond shall be English bond at a ratio of at least 1:3.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

5 All roofing tiles used in the development shall conform to the approved details.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

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6 The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.

Reason: In the interests of the appearance of the development, and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

7 The guttering to the development hereby permitted shall be fixed to the external walls by means of gutter spikes/rise and fall brackets and no fascia boarding shall be used.

Reason: In the interests of the appearance of the development, and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

8 All new window frames, glazing bars, external doors and door frames shall be in accordance with the approved details.

Reason: In the interests of the architectural composition and appearance of the development and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

9 The window frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: To ensure that the Local Planning Authority retains control over this detail of the development in the interests of the appearance of the development, and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

10 All external doors used in the development shall conform to the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

11 The eaves, verges and chimneys shall be constructed in accordance with the details so approved prior to occupation of the dwelling to which they relate.

Reason: To ensure that the Local Planning Authority retains control over these details of

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the development in the interests of the appearance of the development, and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

12 All external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be located and designed in accordance with the approved details.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and to preserve the setting of the Chapel of St James, which is grade II* listed.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

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

The development hereby permitted will require the provision of a new vehicular access crossing. Applicants are requested to contact the Local Highway Authority's Divisional Office at Pode Hole - (via call centre Tel: 01522 782070) prior to the commencement of any works within the public highway.



Phil Norman
Planning 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		

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.