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TOWN AND COUNTRY PLANNING ACT 1990
SECTION 73A CONTINUATION

Reference: H13-0483-17 **Date of Decision:** 11th July 2017

Applicant: Mr Nathan Mayfield
12 Scholdhall Lane
Surfleet
Spalding
Lincs
PE11 4BJ

Location: Former Crown Farm House Carrington Road Moulton Seas End Spalding

Description: Replacement dwelling including garage and stables - approved under H13-0668-11 - Modification of Condition 2 to allow amendments to previously approved plans (part retrospective)

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

1 The development hereby permitted shall be carried out in accordance with the approved plans, details and Design and Access Statement accompanying planning application ref. H13-0668-11 and condition compliance application ref. H13-0687-14 as amended by the following:
Dwg. nos. 17-P23-PL001B, 17-P23-PL002C and 17-P23-PL003 by Trundley Design Services.

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

2 All new external brickwork shall match the details accompanying condition compliance application ref. H13-0687-14 and the brick panel constructed on site in terms of the type of bricks used, the method of bonding, mortar colour and pointing style. The brickwork panel shall be retained on the site until the development hereby approved has been completed.

Reason: 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 HS17 of the South Holland Local Plan 2006.

3 The external materials to be used for the roof shall be natural slates.

Reason: 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 HS17 of the South Holland Local Plan 2006.

4 All rainwater goods shall be of metal construction, black painted and thereafter so maintained.

Reason: In the interests of the architectural composition 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 HS17 of the South Holland Local Plan 2006.

5 The design of all external doors to be utilised in the development shall be in accordance with details accompanying condition compliance application ref. H13-0687-14, as amended by drawings 17-P23-PL002C and 17-P23-PL003. All external doors shall be constructed in timber.

Reason: 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 HS17 of the South Holland Local Plan 2006.

6 The window frames to be utilised on the principle element (front section) of the dwelling shall be installed in accordance with details accompanying condition compliance application ref. H13-0687-14.

Reason: 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 HS17 of the South Holland Local Plan 2006.

7 All window head arches and cills on the dwelling shall be constructed in accordance with details within the Design and Access Statement accompanying planning application ref. H13-0668-11.

Reason: 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 HS17 of the South Holland Local Plan 2006.

8 All new window frames, glazing bars and door frames on the dwelling and garage shall be of timber construction with a white or cream painted finish and thereafter so maintained.

Reason: In the interests of the architectural composition 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 HS17 of the South Holland Local Plan 2006.

9 The design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vents shall be in accordance with details accompanying condition compliance application H13-0687-14.

Reason: 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 HS17 of the South Holland Local Plan 2006.

10 The canopied door surround, eaves dentil course and chimney stacks on the dwelling shall be constructed in accordance with details within condition compliance application H13-0687-14.

Reason: 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 HS17 of the South Holland Local Plan 2006.

11 The principle element (front section) of the dwelling shall incorporate parapets and a central string course in accordance with details accompanying condition compliance application H13-0687-14.

Reason: 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 HS17 of the South Holland Local Plan 2006.

12 The dormer windows on the dwelling shall be constructed in accordance with details outlined within the Design and Access Statement accompanying planning permission H13-0668-11.

Reason: 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 HS17 of the South Holland Local Plan 2006.

13 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 freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
ii) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
iii) 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.

14 The Finished Floor Level of the dwelling shall be in accordance with details contained within the Design and Access Statement accompanying planning application H13-0668-11.

Reason: To ensure that the Local Planning Authority retains control over the finished floor levels of the development, in the interests of its visual and architectural character.
This Condition is imposed in accordance with Policy HS17 of the South Holland Local Plan 2006.

15 Boundary treatment, including details of the location and species of native hedging, shall be in accordance with details accompanying condition compliance application H13-0687-14 and shall be implemented in full before the development is first brought into use.

Reason: 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 HS17 of the South Holland Local Plan 2006.

16 All trees shown on dwg. no. 2040-01 accompanying planning application H13-0668-11 shall be retained on site and shall not be lopped, topped, felled or uprooted without the prior written consent of the Local Planning Authority. All trees shall be protected during construction work in accordance with details shown on dwg. no. 2040-01.

Reason: To ensure the protection of trees on the site, in the interest of the visual amenities of the rural locality.
This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006.

17 The accommodation within the outbuilding/garage block, as indicated on dwg. no. 17-P23-PL002C, shall be and shall remain incidental to the use of the principle dwelling on site. It shall not be sold or let off separately, and shall be used only by members of the family of the occupier of the principle dwelling.

Reason: The proposed annexe would be inappropriate for occupation independent of the main dwelling by virtue of 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 6 of the National Planning Policy Framework, 2012 and Policy HS7 of the South Holland Local Plan, 2006.
This Condition is imposed in accordance with Policies HS7 and SG17 of the South Holland Local Plan, 2006.

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



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.