

Larkfleet Homes  
Larkfleet House  
Southfield Business Park  
Falcon Way  
Bourne  
PE10 0FF

Council Offices  
Priory Road  
Spalding  
Lincolnshire  
PE11 2XE  
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## **TOWN AND COUNTRY PLANNING ACT 1990 FULL**

**Reference:** H13-0970-20 **Date of Decision:** 19th March 2021  
**Applicant:** Larkfleet Homes  
Larkfleet House  
Southfield Business Park  
Falcon Way  
Bourne  
PE10 0FF  
**Location:** 3 Shivean Gate, Moulton Spalding  
**Description:** Erection of 2 Dwellings

**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:  
L---/RLP/01;  
DWG 0 (Block Plan - Rev. A);  
DWG 1a (Site Plan - Rev. A);  
DWG 2b;  
DWG 3b;  
L158/PLOT 1 Amend/01;  
L158/PLOT 2 Amend/01;  
MA10453/SK02;

MA10453/200;  
LXXX/CHART/01;  
LXXX/LANDSC/01;  
Maintenance of Soft Landscaping Scheme;  
Plot Materials Schedule;  
AD/01 (Excluding parapet detail);  
C2-1 Rev E;  
C2-2 Rev D;  
C2-3 Rev D;  
C2-4 Rev B;  
1773/1;  
1773/2;  
1773/3;  
D13 Rev G;  
SD-39;  
SD-40;  
Heritage Impact Assessment by RPS Group (ref. JCH01252) dated December 2020;  
Written Scheme of Investigation: Archaeological Monitoring and Recording by Pre-Construct Archaeological Services Ltd (Job no. 1844).

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

- 3 The approved scheme of landscaping shall be carried out and completed in its entirety during the first planting season following practical completion of the development. 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 and 3 of the South East Lincolnshire Local Plan, 2019.

- 4 Before the commencement of the development beyond oversight and notwithstanding the submitted details a full schedule of the materials to be used for the external walls and roofs of the buildings, including a sample if necessary, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved.

Note: The external materials should consist of a red stock brick (not multi) to match, as closely as possible, existing period properties within the vicinity, and a traditional slate roof. 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: 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, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 5 The new brickwork shall be constructed in English Bond on the front elevation of the dwellings and English Bond or English Garden Wall Bond (ratio 1:3) on the side and rear elevations.

Reason: In the interests of the appearance of the development, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 6 All external doors and door frames on the front and side elevations shall be constructed in timber.

Reason: In the interests of the appearance of the development, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 7 Notwithstanding the submitted details no porches or door canopies shall be installed on the front or side elevations.

Reason: In the interests of the appearance of the development, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

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

Reason: In the interests of the appearance of the development, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 9 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, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 10 All new window frames shall be six over six timber vertical sliding sash with a white or

cream painted finish and thereafter so maintained.

Reason: In the interests of the appearance of the development, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 11 No external boxes for gas and electricity supplies shall be installed on the front elevation.

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, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), none of the following developments or alterations shall be carried out other than those approved by virtue of this permission:

- i) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
- 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, the character of the conservation area and the amenity of neighbouring residents.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 13 Prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

- 14 Prior to construction of the garage block details of its layout, appearance and materials of construction shall be submitted to and approved in writing by the Local Planning Authority. The garage doors shall be vertical timber boarded.

Note: The garage should be constructed in external materials to match the dwellings.

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, the character and visual amenity of this part of the Conservation Area and the setting of nearby listed buildings.

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 Sections 12 and 16 of the National Planning Policy Framework, 2019.

- 15 The development hereby permitted shall not be occupied before a 1.8 metre wide footway has been provided along the site's frontage to connect to the existing footway to the north in accordance with details that shall first have been submitted to, and approved in writing, by the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway. To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

Note: The highway improvement works referred to above are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

Reason: To ensure safe access to the site in the interests of residential amenity, convenience and safety.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019

- 16 Before the commencement of the development hereby granted beyond oversight, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

- 17 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with the approved written scheme of archaeological investigation in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2019.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

- 18 A copy of the final report required in connection with the approved written scheme of archaeological investigation shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2019.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

- 19 The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

Reason: To protect the quality and quantity of water resources available to the district.

This Condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

- 20 Prior to work commencing beyond oversight, full details of an ecology management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and retained in accordance with the details so approved.

Note: Development can incorporate a number of simple, low-cost measures to deliver biodiversity benefits and enhance priority habitats and species, such as, the use of bat roost boxes and integrating nesting opportunities into buildings. The use of swift bricks on new developments would help minimise the decline in swifts, a priority species.

Reason: To ensure that the development is able to deliver a net gain in biodiversity.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, 2019.

#### 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>

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact [vehiclecrossings@lincolnshire.gov.uk](mailto:vehiclecrossings@lincolnshire.gov.uk)

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.



**Phil Norman**  
**Planning and Building Control 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](mailto: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@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.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.