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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H20-1239-19 **Date of Decision:** 3rd February 2020

Applicant: Mr T Griffith
30 Clayburn Road
Hampton Centre
Peterborough
Cambs
PE7 8GL

Location: Zion House Broadgate Sutton St James Spalding

Description: Erection of replacement dwelling and detached garage (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 following approved plans:
AJD1011/15/00A accompanying planning application ref. H20-0733-15;
AJD1011/15/01A accompanying planning application ref. H20-0733-15;
AJD1011/15/02A (Rev. V1);
AJD1011/15/03B;
CC/TRG/18 accompanying condition compliance application ref. H20-1154-18.

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

2 Within 3 months of the date of occupation of the replacement dwelling hereby permitted, the existing dwelling (Priory Cottage) shall be demolished and all rubble and associated materials cleared from the site.

Reason: To ensure that the existing dwelling is demolished.
This Condition is imposed in accordance with Policy 22 of the South East Lincolnshire

Local Plan, 2019.

3 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.
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 and the visual amenity and character of the area within which it is set, permission having been granted on the basis that the development would deliver a high quality of design.
This Condition is imposed in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan, 2019.

4 With the exception of those trees required to be removed to accommodate the triple garage none of the existing trees on the site shall be cut down, up-rooted, destroyed, topped or lopped unless first agreed in writing by the Local Planning Authority. If any tree which is to be retained dies or is to be removed it shall be replaced within six months thereafter with a tree of such size and species which shall be first be agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of existing trees on the site, in the interests of the visual amenity of the locality.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2019.

5 The brick(s) to be used for the external walls of the development hereby permitted shall conform with details accompanying condition compliance application ref. H20-1154-18, unless agreed otherwise in writing by the Local Planning Authority.

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, permission having been granted on the basis that the development would deliver a high quality of design that reflects traditional vernacular.
This Condition is imposed in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan, 2019.

6 The external roofing material to be used for the development shall conform with details accompanying condition compliance application ref. H20-1154-18, unless agreed otherwise in writing by the Local Planning Authority.

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,

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permission having been granted on the basis that the development would deliver a high quality of design that reflects traditional vernacular.
This Condition is imposed in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan, 2019.

7 The garage doors shall be constructed in timber, unless agreed otherwise in writing with the local Planning Authority.

Reason: In the interests of the appearance of the development and the visual amenity of the area in which it is set, permission having been granted on the basis that the development would deliver a high quality of design that reflects traditional vernacular.
This Condition is imposed in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan, 2019.

8 The rainwater goods utilised in the development hereby permitted shall conform with details accompanying condition compliance application ref. H20-1154-18, unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development and the visual amenity of the area in which it is set, permission having been granted on the basis that the development would deliver a high quality of design that reflects traditional vernacular.
This Condition is imposed in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan, 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 architectural composition and appearance of the development and the visual amenity of the area in which it is set, permission having been granted on the basis that the development would deliver a high quality of design that reflects traditional vernacular.
This Condition is imposed in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan, 2019.

10 Details of the eaves and chimneys shall conform with details accompanying condition compliance application ref. H20-1154-18, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the Local Planning Authority retains control over these details 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, permission having been granted on the basis that the development would deliver a high quality of design that reflects traditional vernacular.
This Condition is imposed in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan, 2019.

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

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and

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the visual amenity of the area in which it is set, permission having been granted on the basis that the development would deliver a high quality of design that reflects traditional vernacular.
This Condition is imposed in accordance with Policies 2, 3 and 22 of the South East Lincolnshire Local Plan, 2019.

12 Finished floor levels shall be set at 1.85m AOD, unless agreed otherwise in writing by the Local Planning Authority.

Reason:To reduce the risk of flooding to the proposed development and future occupants. This Condition is imposed in accordance with national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

13 No work shall take place in respect of the garage block until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:
1. An assessment of significance and proposed mitigation strategy (i.e preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2019.

14 The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence the garage block at least fourteen days before the start of archaeological work required in connection with Condition 13 above 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.

15 A copy of the final report required in connection with condition 13 above 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.

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



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

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.