

Alan Hornsby Architectural Services
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35 Peak Hill
Cowbit
Spalding Lincs
PE12 6AW

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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H21-0873-17 **Date of Decision:** 10th November 2017

Applicant: Mr & Mrs A C Hornsby
Little Acre
35 Peak Hill
Cowbit
Spalding Lincs
PE12 6AW

Location: Parsonage Farm Parsonage Lane Tydd St Mary Spalding

Description: Proposed conversion of existing redundant agricultural buildings into new dwelling

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:
Dwg. nos. 17/01/01, 17/01/02, 7/01/03, 7/01/04, 17/01/05, 17/01/06, 17/01/07, 17/01/08 and 17/01/09;
Photographs of existing barns;
Email from Alan Hornsby dated 23 October 2017 relating to flood risk.

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

- 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 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, levels of residential amenity and the visual amenity and character of the area within which it is set.

This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan, 2006.

- 4 All new and replacement brickwork utilised in carrying out the development hereby permitted shall match as closely as possible that of the building to which it relates in terms of the type of brick(s), mortar mix and method of bonding.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policy SG20 of the South Holland Local Plan, 2006.

- 5 The roof of the development hereby approved shall be clad in natural clay pantiles, unless agreed otherwise in writing with the Local Planning Authority.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan, 2006.

- 6 All new window frames, glazing bars and external doors/door frames shall be of timber construction 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 SG14 of the South Holland Local Plan, 2006.

- 7 The scheme of landscaping and tree planting shown on dwg. no. 17/01/01 shall be carried out in its entirety within a period of twelve 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 Policy SG18 of the South Holland Local Plan, 2006.

- 8 The existing hedge shown on dwg. no. 17/01/01 shall be retained at a height of at least 1 metre (apart from the access point). In the event of the existing hedge dying it shall be replaced within 6 months by hedging of the same species. Such replanting 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 planting and during that period all losses shall be made good as and when necessary. The replanting shall be allowed to reach a height of at least 1 metre and thereafter retained at that height.

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 Policy SG18 of the South Holland Local Plan, 2006.

- 9 The development hereby permitted shall incorporate the following flood mitigation measures:
- i) Finished floor levels of the main barn shall be a minimum of 450mm above existing ground level and finished floor levels of the rear single storey building shall be a minimum of 200mm above existing ground level;
 - ii) Provision of a staircase leading to a safe refuge within the roof space, including associated roof light;
 - iii) The building shall be designed to incorporate flood resistant/resilient measures and construction techniques, including 0.6 metre demountable flood barriers on doorways/glazed screens;
 - iv) The eventual occupiers shall sign on to the Environment Agency's Floodline Warnings Direct Service.

The flood mitigation measures shall be provided in accordance with the approved details prior to the development hereby permitted being brought into use.

Reason: To ensure that the risk of flooding to the development and future occupants is mitigated whilst ensuring that the dwelling has a satisfactory relationship with existing development.

This Condition is imposed in accordance with national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

- 10 No development shall take place 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 12 of the National Planning Policy Framework, 2012. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

- 11 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 Condition 10 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 12 of the National Planning Policy Framework, 2012.

- 12 A copy of the final report required in connection with Condition 10 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 12 of the National Planning Policy Framework, 2012.

- 13 Before any works of demolition are commenced an ecological survey shall be carried out to determine the presence, or otherwise, of owls or bats upon the site and the results of such a survey shall be submitted to the Local Planning Authority. If protected species are present a working design, method and timetable to mitigate any harm to the species involved shall be submitted to and approved in writing before any works of demolition are commenced and thereafter be carried out in accordance with the approved details prior to occupation.

Reason: In the interest of nature conservation and because owls and bats are a protected species.

This Condition is imposed in accordance with national guidance contained in Section 11 of the National Planning Policy Framework, 2012.

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>



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 Authority 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.