

TOWN AND COUNTRY PLANNING ACT 1990

FULL PLANNING PERMISSION

APPLICATION NO: PA/2019/1374



Address/Agent:

Mr Martin Flynn
Flynn Architecture Ltd
Tower Barn
Archer Street
Bishop Norton
MARKET RASEN
LN8 2BG

Applicant: Mr Andrew Potts, J K Construction

North Lincolnshire Council hereby gives notice that the application received on 28/08/2019 for:

Planning permission to erect a replacement dwelling and detached garage with living accommodation above (including demolition of farmhouse and outbuildings) at Carrside Farm, Access Road To Carrside Farm, Appleby, DN15 0BZ

has been considered and that permission for this development in accordance with the plans and written particulars submitted has been granted subject to the following conditions and reasons:

1.
The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

- 2.

The development hereby permitted shall be carried out in accordance with the following approved plans: AP/AP/MF/04, AP/AP/MF/05, AP/AP/MF/06, AP/AP/MF/08 and Site Location Plan.

Reason

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

- 3.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

4.

No above ground works shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings and the rural landscape in the interests of visual amenity, in accordance with policies DS1 and RD2 of the North Lincolnshire Local Plan and CS5 of the adopted Core Strategy.

5.

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), dated July 2012, Draft Rev 0, compiled by EWE Associates Ltd and the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 0.65m above existing external ground level;
- The development to have at least two storeys;
- Flood resilience and resistance measures to be incorporated into the proposed development as stated.

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason

To ensure that the site is safe from flooding in accordance with policies DS16 of the North Lincolnshire Local Plan and CS19 of the Core Strategy.

6.

Within three months of the date of this permission a historic building record shall be submitted to and agreed in writing to the Local Planning Authority. It shall include a written specification and a timetable for the recording.

Reason

To comply with policies RD2 & HE9 of the North Lincolnshire Local Plan as Carrside Farm is a heritage asset of local significance.

7.

The historic building recording shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policies RD2 & HE9 of the North Lincolnshire Local Plan as Carrside Farm is a heritage asset of local significance.

8.

The historic building archive shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of commencement of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policies RD2 & HE9 of the North Lincolnshire Local Plan as Carrside Farm is a heritage asset of local significance.

9.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

10.

Demolition and construction works shall be carried out in strict accordance with sections 5.1 and 5.2 of the submitted Preliminary Ecological Appraisal report dated December 2019. Prior to the commencement of demolition works, the applicant or their successor in title shall submit a bat protection method statement to the local planning authority for approval in writing.

Reason

To conserve biodiversity in accordance with policy LC5 of the North Lincolnshire Local Plan and policy CS17 of the Core Strategy.

11.

Within 3 months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- a) Details of bat roosting features to be installed, including a bat loft suitable for brown long-eared bats;
- b) Details of nesting sites to be installed to support barn swallows and house sparrows;
- c) Confirmation that the installed barn owl boxes shall be retained;
- d) Restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- e) Prescriptions for the retention, planting and aftercare of native trees, shrubs and hedgerows of high biodiversity value;

- f) Proposed timings for the above works in relation to the completion of the buildings.

Reason

To conserve biodiversity in accordance with policy LC5 of the North Lincolnshire Local Plan and policy CS17 of the Core Strategy.

12.

The biodiversity management plan and bat protection method statement shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the completion of the approved development, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the Biodiversity Management Plan.

Reason

To conserve biodiversity in accordance with policy LC5 of the North Lincolnshire Local Plan and policy CS17 of the Core Strategy.

13.

The residential accommodation above the outbuilding shown on drawing number; AP/AP/MF/06 shall only be used as a place of residence for a temporary period whilst the replacement dwelling is being constructed. Upon occupation of the replacement dwelling hereby approved the accommodation above the outbuilding shall thereafter only be used for purposes ancillary to the residential use of the replacement dwelling at Carrside Farm.

Reason

To define the terms of the permission and to ensure the accommodation is used for purposes ancillary to the main replacement dwelling and to prevent the establishment of a separate unit of residential accommodation in the open countryside.

Dated: 23/01/2020

Signed:



Andrew Law

Acting Group Manager – Development Management and Building Control

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

WARNING

THIS DOCUMENT DOES NOT CONSTITUTE ANY
APPROVAL UNDER THE BUILDING REGULATIONS

WARNING

This is a PLANNING PERMISSION ONLY. It does NOT convey any approval or consent required under any enactment, byelaw, order or regulation other than those referred to in the heading of this notice. It is IMPORTANT that you should read the notes concerning APPEALS below.

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 to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier

Please note however:

If your application was for **householder development** (dwelling house extensions, alterations, garages, swimming pools, walls, fences, vehicular access, porches, satellite dishes etc) or for a minor commercial application then you must do so **within 12 weeks** of the date of this notice.

- 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 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 they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- 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) at least 10 days before submitting the appeal. Further details are on GOV.UK

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants 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 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 Part V1 of the Town and Country Planning Act 1990.