

## Town and Country Planning Acts

# NOTICE OF DECISION

**Application Number: DM/0365/22/OUT**

**Issuing Authority: North East Lincolnshire Council**

<b>Applicant's Name and Address:</b>	<b>Agent's Name and Address:</b>
Mr And Mrs Bailey Grove Farmhouse Station Road Waltham North East Lincolnshire DN36 4RZ	Mr Dieter Nelson Dieter Nelson Planning Consultancy Unit 2 Cleethorpes Business Centre Jackson Place Wilton Road Humberston Grimsby DN36 4AS

**Proposal:** Outline application to erect 8 detached dwellings and associated garages with all matters reserved and demolition of existing garage - amended plans and archaeological information

**Application Site:** Grove Farmhouse Station Road Waltham North East Lincolnshire

**The following decision has been made upon your application received on 25th April 2022.**

**Granted subject to: -**

- 1 Condition  
Applications for approval of the matters referred to in Condition 2 (known as reserved matters) shall be made within three years of the date of this permission and the development to which it relates shall begin no later than whichever is the later of the following dates:
  - (a) three years from the date of the grant of outline planning permission
  - (b) two years from the final approval of the reserved matters, or in the case of approval on different dates, final approval of the last such matter to be approved.

**Reason**

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

2 Condition

This permission hereby granted is in outline form only and no development shall begin until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

- (a) the layout, scale and appearance of the development;
- (b) means of access to the site;
- (c) a landscaping and biodiversity improvement scheme for the site including details of existing trees, hedges and planting to be retained;
- (d) a scheme for sustainable surface water drainage and for foul water drainage.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

3 Condition

The application for reserved matters shall be based on the site design concept detailed on plan ref: 1319-003 Rev A, as a farmstead complex only. The final design of the development shall be based on the Historic England Greater Lincolnshire Farmstead Assessment Framework (published 2015).

Reason

In the interest of good design and respecting the rural character of the area in accordance with Policies 5, 22, and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

4 Condition

The development shall be carried out in accordance with the mitigation measures and recommendations set out in the Preliminary Ecological Appraisal (dated July 2022).

Reason

In the interest of biodiversity protection in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

5 Condition

Prior to development commencing an updated Ecology Survey shall be submitted to and approved in writing by the Local Planning Authority. The updated report shall follow the recommendations set out in the Preliminary Ecological Appraisal (dated July 2022) and provide any necessary mitigation measures. The development shall then proceed in accordance with the approved Ecology Report.

Reason

In the interests of ecological improvement and protection in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

6 Condition

If during development contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. Remediation shall be undertaken in accordance with the details agreed.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

7 Condition

No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Construction Method Statement shall provide details for:-

- wheel washing facilities,
- means of suppressing dust and noise.
- location of site cabins, compound and storage of materials to include phasing of construction

The noise control measures must comply with the requirements of British Standard 5228 unless otherwise approved. No burning of demolition/construction waste material shall take place on site.

The development shall only thereafter be undertaken in accordance with the approved details.

Reason

To protect the amenities of nearby residents in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

8 Condition

No demolition or construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

To protect the amenities of nearby residents in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

**Informatives:-**


1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular

policies 2, 5, 22, 33, 39 and 41.

- 2 **Added Value Statement**  
Article 31(1)(cc) Statement - Positive and Proactive Approach  
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by negotiating on issues as they came up through the planning process.
  
- 3 **Informative**  
This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at [snn@nelincs.gov.uk](mailto:snn@nelincs.gov.uk) to discuss the creation of new addresses.
  
- 4 **Informative**  
Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

This Notice is issued on behalf of North East Lincolnshire Planning Authority.

**Signed:**   
**Mark Nearney**  
**Official Capacity: Assistant Director for Housing, Highways and Infrastructure**  
**Date: 3rd February 2023**

## INFORMATION ON APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by this decision 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, or for Listed Building Consent, under Sections 20 and 21 for Listed Buildings & Conservation Areas Act 1990.

**If you want to appeal this application, please carefully read the information below and choose which option applies to your application:**

If this is a decision to refuse planning permission for a **householder** application and you want to appeal against the decision, then you must do so within 12 weeks of the date of this notice;

If this is a decision to refuse planning permission for a **minor commercial application (e.g. shop fronts)** and you want to appeal against the decision, you must do so within 12 weeks of the date of this notice;

If this is a decision to refuse express consent for the display of an **advertisement** and you want to appeal against the decision, you must do so within 8 weeks of the date of receipt of this notice;

For all other **Full** and **Listed Building Consent** applications - If you wish to appeal against the decision, you must do so within 6 months of the date of this notice.

### Appeals on Planning Applications involving Enforcement Notices

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, if you want to appeal against the decision on your application, 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 you want to appeal against the decision on your application, 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.

All Appeals must be made using a form which you can obtain from:

Planning Inspectorate,  
Temple Quay House,  
2 The Square,  
Temple Quay,  
Bristol,  
BS1 6PN

(Tel: 0303 444 5000) or to submit electronically at <https://www.gov.uk/planning-inspectorate>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally 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 a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him/her.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority ([planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)) and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are online on GOV.UK <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.

The Planning Inspectorate has introduced an online appeals service which you can use to make your appeal online at <https://www.gov.uk/planning-inspectorate>. The Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party, please ensure you have their permission to do so. More detailed information about data protection and privacy is available on the Planning Inspectorate web site.

NB. Any approval in this notice of decision refers only to that required under the Town and Country Planning Acts and does not include any consent under any other enactment, bylaw, order, building or other regulation.

**IF YOUR APPLICATIONS HAS BEEN REFUSED:**

If you decide to resubmit, your application will not be subject to a fee under the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) Regulations 2002 provided the new application:-

- a) Is submitted as a valid application within one year of the date of the decision
- b) Is development of the same character and description as submitted previously.
- c) Relates to the same site area or part of the same site and does not include additional land
- d) Is submitted by the same applicant
- e) The applicant may only benefit from the fee exemption once for any site

Prior to any resubmission, it is strongly recommended that you discuss the revised scheme with the development management team so that any issues can be identified quickly and solutions to any barriers to achieving a planning permission discussed with you.