

# South Kesteven District Council

Development Management  
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SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

Mr Tom Helliwell  
Class Q Ltd  
The Grey House  
3 Broad Street  
Stamford, PE9 1PG

## APPROVAL OF PRIOR NOTIFICATION DETAILS

(Change Of Use – Agricultural to Dwelling)

Town and Country Planning (General Permitted Development) Order 2015 – Part 3 Class Q

### Part I – Particulars of details to be approved

Application No:	S24/2060
Date Registered:	29th November 2024
Applicant:	Mr A Dodds
Proposal:	Prior Approval under Part 3 Class Q for Change of Use of an existing agricultural building to 4no. residential dwellinghouses.
Location:	Manor Farm Graby Farm Road Graby
Decision/Date	Approved Conditionally 6th February 2025

### Part II – Particulars of decision

The South Kesteven District Council hereby give notice that **approval has been granted** in respect of the details referred to in Part 1 notated above, subject to the following condition(s):-

1. The development hereby permitted shall be carried out in accordance with the following list of approved plans:-
  - i. Site Location Plan, drawing ref. E001 A (received 29/11/24)
  - ii. Proposed Site Plan, drawing ref. P001 B (received 29/11/24)
  - iii. Proposed Floorplans, drawing ref. P010 B (received 29/11/24)
  - iv. Proposed Elevations, drawing ref. P021 B (received 29/11/24)

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

2. Prior to the occupation of the dwellings hereby permitted, a plan indicating the heights, positions, design, materials and type of boundary treatment to be erected shall have been submitted to and approved in writing by the Local Planning Authority.

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

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Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

3. No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of a passing place and localised widening) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

4. Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

5. Before the development hereby permitted is commenced, a scheme relating to the survey of the land for contamination shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
  - i. A desk top study documenting all the previous and existing land uses of the site and adjacent land;
  - ii. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
  - iii. A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring.
  - iv. Shall include the nomination of a competent person to oversee the implementation of the works.

Development shall be carried out in accordance with the approved details prior to first occupation of the development hereby permitted.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in the NPPF.

**Note(s) to Applicant:-**

- 1 Development must be completed within a period of 3 years starting with the date of this prior approval.
- 2 The applicant is advised that the development must be carried out in accordance with the approved details
- 3 This consent applies only to that required by the Town and Country Planning Acts and does not include any permission or approval under any other enactment, bylaw or regulation.

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- 4 The permission to which this notice refers MAY contain the requirement to comply with certain conditions PRIOR to any works being commenced, as well as conditions to be met DURING and AFTER the completion of the development. You are hereby advised that non-compliance with ANY condition may render this permission invalid and the development itself UNLAWFUL and could lead to enforcement action and/or prosecution. It is YOUR responsibility to ensure that all conditions are complied with (see enclosed card). If you are in any doubt as to the requirements established by any condition attached to this permission, you are strongly advised to contact South Kesteven District Council Development Management for clarification prior to the commencement of any works.
- 5 The approval of details reserved by any condition(s) (discharge of condition(s)) is now treated as a formal application and as such requires a separate discharge of conditions application to be submitted.
- 6 Your attention is drawn to the attached notes explaining your rights of appeal regarding this decision.
- 7 Highway Informative 07  
The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.  
For further guidance please visit our website:-  
[www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway](http://www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway)  
Highway Informative 08  
Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences 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. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Emma Whittaker  
Assistant Director Of Planning  
6th February 2025

GENERAL DEVELOPMENT PROCEDURE ORDER 2015  
TOWN AND COUNTRY PLANNING ACT 1990

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 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 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 the service of the enforcement notice **or** within six months of the date of this notice (whichever period expires earlier).

If you want to appeal against other decisions, except for Householders which are 12 weeks, then you must do so within 6 months of the date of this notice. Appeals should be submitted using a form that you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Tel: 0303 444 5000 (Customer Services)  
Email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)  
Website: <https://www.gov.uk/planning-inspectorate>

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.

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.

**Purchase Notices**

If either the local planning authority or the Secretary of State for the Environment 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 District 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 VI of the Town and Country Planning Act 1990.