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Mr. N. Pleasant,
Stantec,
Part 4th Floor,
Whitehall Quay II,
LEEDS.
LS1 4HR

Your Reference:

Our Reference:

N/092/<CaseNo>/<CaseYear>

Contact: Miss L. Stuart

Ext: 01507 613166

Email: Lindsey.Stuart@e-lindsey.gov.uk

Date: 21 March 2025

Dear Sir,

IMPORTANT: PLEASE READ THE INFORMATION BELOW

APPLICANT: KCS Development Ltd,

PROPOSAL: Outline erection of up to 50no. dwellings and associated infrastructure (with means of access, landscaping and layout to be considered).

LOCATION: LAND SOUTH OF, CHESTNUT DRIVE, LOUTH

THE PLANNING APPLICATION

The application mentioned above has now been considered and the notice of decision is enclosed. I would draw your attention to the following notes of advice and guidance and ask you to direct any questions you may have, only where applicable please, to the case officer named above.

Planning permission has only been given for the development as shown on the approved plans. However, this permission is not a warranty as to the accuracy of the submitted plans. Any intended changes from the approved plans must be notified to the Council's Planning Department at the earliest opportunity in order to avoid legal problems. For example, unauthorised amendments may result in the overall development having no permission and which may therefore be subject to enforcement action. Also, deviation from the approved plans may not constitute an authorised start of a permission, which may therefore lapse.

HOW TO APPEAL AGAINST PLANNING CONDITIONS

If you are aggrieved by the decision of your Local Planning Authority to grant permission for the proposed development 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, 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 six months of the date of this notice, whichever period expires earlier.

Householder appeals can be made online at:

<https://www.gov.uk/appeal-householder-planning-decision>

Planning application appeals can be made online at:

<https://www.gov.uk/appeal-planning-decision>

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 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.

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.](#)

CONSTRUCTION OF VEHICLE CROSSINGS OF FOOTWAYS AND VERGES

Your attention is drawn to Section 184 of the Highways Act 1980 which relates to the proper construction of vehicle crossings of footways and verges and provides that the design of such crossing must be approved by the appropriate authority. The appropriate authority in this instance is the Lincolnshire County Council as Highway Authority and you are advised to contact the Divisional Highways Manager, East Lindsey Division, Manby Middlegate, Manby, Louth, Lincs. LN11 8SU, Telephone:- 01507 327771/2/3. (If, however, the application site lies within any of the following parishes:- Wildmore, Carrington, Frithville, Sibsey,

Thornton le Fen, West Fen or Langrville; then please contact the Divisional Highways Manager, South Division, Pode Hole, Spalding, Lincs. PE11 3LN, Telephone:- 01775 69091).

CONNECTION TO A PUBLIC SEWER

Before any connection of any property to a public sewer takes place, 21 days written notice must be given to Anglian Water Services Ltd., Developer Services in Lincoln, P.O. Box 104, Spalding, Lincs. PE11 1SZ. Telephone:- 01522 341710 for forms of notice.

ACCESS STATEMENTS

Attention is drawn to the relevant provisions of the Disability Discrimination Act 1995 (DDA) and the changes introduced in May 2004 of Part M of the Building Regulations 'Access to and Use of buildings' which extends the responsibilities of providers of new buildings, and in some cases, those undertaking alterations to existing buildings to ensure reasonable provisions of access to buildings, facilities and surroundings.

CLAIMS AGAINST UNREASONABLE BENEFICIAL USE

If either the Local Planning Authority or The Secretary of State grants permission to develop land subject to conditions, the owner may claim that he can neither put the land to 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 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.

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is 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.

Please note as from 6th April 2008 the Government introduced a fee for request for written confirmation of compliance with a condition or conditions attached to a grant of planning permission. So if you have a number of conditions to deal with you can save time and money by putting as many of them as possible together in one request. Any fee paid under the regulation shall be refunded if the Local Planning Authority fails to give the written confirmation within a period of 8 weeks from the date on which the authority received the request.

I strongly advise that you discharge the conditions prior to commencement of development because such is the legal situation relating to condition precedent, failure to comply with conditions could render the development unlawful.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'P. Norman', with a horizontal line extending to the right.

Phil Norman
Assistant Director – Planning and Strategic Infrastructure
(Chief Planning Officer)