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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H02-0555-23 **Date of Decision:** 2nd October 2023

Applicant: Mr J Thame
Queens Bank House
Queens Bank
Crowland
Peterborough
PE6 0JR

Location: Queens Bank House Queens Bank Crowland Spalding

Description: Proposed two storey ancillary building comprising garages/storage/office area/bedrooms - Retrospective

South Holland District Council hereby give notice that this application has been REFUSED for the above proposal for the following reason(s):

1 The proposal seeks permission for a large, modern 2-storey building in an open countryside setting, which would be at visual odds with its surroundings. No other buildings within the immediate setting are of a style that matches with the proposed, which is not considered to present any architectural merit to the area, and neither is it considered to be sympathetic to the setting. Queens Bank House and the associated outbuildings are not listed, however, they are considered to be a non-designated heritage asset, as per the site's inclusion within the Lincolnshire Historic Environment Record (reference MLI123856). The proposed structure is at odds with its historic surroundings both in its modern, unattractive design and the overall scale. The proposal therefore fails to satisfy requirements b and c of Policy 7 of the South East Lincolnshire Local Plan (2019).

2 The proposal seeks permission for the establishment of what appears to be a business use that services customers on site and at scale, with staff, given the proposed inclusion of customer waiting areas, multiple office spaces, a staff kitchen, as well as living

accommodation which bares an interconnected and close relation to the proposed commercial space. As such, the Local Planning Authority anticipates that the proposed development would lead to customer traffic arriving on site frequently, which is considered to present a risk to the local highway network, as Queens Bank House is only accessible via Queens Bank which is a low capacity country lane, situated in open countryside, a substantial distance from any existing settlement or population centre. Because of this and because the proposal seeks consent for a public, customer-oriented commercial use for the site, in a location that does not account for easy public access via any other method than motor vehicle, the proposal fails to meet requirements d and f of Policy 7 of the South East Lincolnshire Local Plan (2019).

3 The site is not within any established employment site, and is situated in a location considered to be a part of the countryside. No justification for a commercial development of this sort in this location has been provided and as such, the proposal fails to meet requirement g of Policy 7 of the South East Lincolnshire Local Plan (2019).

4 The host property is considered to be a non-designated heritage asset and is included in the Lincolnshire County Council Historic Environment Record. The proposed development is not considered to be of a design that is appropriate to the historic setting. The proposed modern design does not match closely or in sympathy with any of the historic elements of the site, with the large, modern glazed gable appearing to be at particular odds with the setting, in addition to the enhanced scale of the proposed structure. Therefore, the design as proposed is considered to neither conserve nor enhance the historic setting, and resultantly, the proposal fails to satisfy Policies 2, 3, and 29 of the South East Lincolnshire Local Plan (2019).

Notes:

The determined plans are:

Application Form
Existing Block Plan
Flood Risk Assessment
23/QBH/01
23/QBH/02
23/QBH/03
23/QBH/04
Location Plan
Design and Access Statement
Screening Assessment Form

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. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reason(s) for the refusal, that approval has not been possible.

This decision notice, the relevant accompanying report and the determined plans can be

viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch



Phil Norman
Head of Planning
South Holland District Council

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		

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

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

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@planning inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.

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 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 the order.

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.