Mr P Milward
4 West Street
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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H02-0608-22 **Date of Decision:** 7th October 2022

Applicant: Mr P Milward
4 West Street
Crowland
PE6 0ED

Location: Land To Rear Of 29/31 North Street Crowland

Description: Proposed barn style dwelling

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

1 In the opinion of the Local Planning Authority the application site is not wide enough to satisfactorily accommodate a new dwelling that would not appear cramped on the plot, to the detriment of the character of the locality. Furthermore, development on this site would degrade the surviving pattern of medieval burgage plots which strongly characterises Crowland's core and the conservation area to which the proposed dwelling is adjacent. The proposal is, therefore, contrary to Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019, which accords with national guidance set out in Sections 12 and 16 of the National Planning Policy Framework, 2021.

2 Clutton's Close is unsuitable in terms of its width, alignment, character and junction geometry to accommodate the additional traffic movements that would be generated by the proposed development. The carriageway of Clutton's Close is generally single track with little facility for on-coming vehicles to pass one another and no footways. There is also no facility for vehicles to turn around at the end of the road. Consequently, the increase in vehicular activity that would result from the proposed development would increase the incidence of vehicles meeting on the road and having to over-run the carriageway edges and highway verges in order to pass. The increase in both vehicular and pedestrian movements resulting from the development would increase unacceptably the risk of conflicts on the highway between vehicles and pedestrians sharing the same roadspace. The absence of a turning facility at the end of the road means that drivers

have to reverse their vehicles along the road to a position where it is possible to turn around. Whilst residents of the proposed development may be able to utilise the proposed parking spaces to turn around, visitors and delivery vehicles would have to reverse back along the road in order to turn around thereby increasing unacceptably the risk of conflict with pedestrians and other road users. The visibility to the right for drivers emerging from Clutton's Close into Kemp Street is significantly below the required standards due to the horizontal alignment of Kemp Street and its proximity to the junction with Hall Street and drivers emerging from Clutton's Close are therefore at risk of conflict with other vehicles. The proposed development would result in an increase in vehicular activity at this junction and approval of this application would, therefore, result in the exacerbation of an existing highway safety problem. There are a number of properties having secondary access to Clutton's Close and approval of this application would be likely to make similar applications in future difficult to resist. The proposal is, therefore, contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019, which accords with national guidance set out in Section 12 of the National Planning Policy Framework, 2021.

Notes:

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

The determined plans are:
CC5
CC6
CC7
Heritage Impact Assessment
Design and Access Statement
Flood Risk Assessment
CC1
Application Form
CC9
CC10
CC11
CC12
CC2
CC4
CC3.1
CC8.1

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		

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.