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## **TOWN AND COUNTRY PLANNING ACT 1990**

### **FULL**

<b>Reference:</b>	H02-1171-25	<b>Date of Decision:</b>	22nd January 2026
<b>Applicant:</b>	Mr P Blackbird C/O Remway Design Ltd Middledene Surfleet Road Pinchbeck PE11 4AG		
<b>Location:</b>	Rear Of 12 Peterborough Road Crowland		
<b>Description:</b>	Proposed Bungalow & Garage		

**South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been REFUSED (or equivalent) for the development referred to above, for the following reason(s):**

- 1 The proposed dwelling is considered to represent an incongruous form of development, at odds with the established character of the area, due to its significant scale in relation to the associated frontage properties. Peterborough Road has a consistent frontage-to-backland relationship, with the backland developments being visually subservient, due to a reduced scale, to the frontage elements. The proposal, due in part to the need to significantly raise finished floor levels, would break this established pattern, resulting in an incongruous and overly dominant form of development, judged to be harmful to the character of the area.

The proposal is therefore considered contrary to the design principles outlined in Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019, and the National Planning Policy Framework, 2024

- 2 The site lies primarily within Flood Zone 2 of the Environment Agency's Flood Maps for

Planning, within an area classified within the South East Lincolnshire Strategic Flood Risk Assessment as "danger for most". The site has an expected maximum flood hazard depth of up to 1m.

The submitted Flood Risk Assessment has failed to adequately demonstrate, through a comprehensive search for alternative sites in line with the provisions of the Strategic Flood Risk Assessment, that the proposed development site is sequentially preferable from a flood risk perspective. There is a lack of clear and convincing evidence that no alternative sites, either within Crowland or in the area surrounding the settlement, at a lower flood risk are reasonably available for a development of this nature. On this basis, it is not considered that the sequential test has been passed; and therefore, the proposal is considered to be contrary to Policy 4 of the South East Lincolnshire Local Plan, 2019, as well as Section 14 of the National Planning Policy Framework, 2024.

Notwithstanding that the proposal is considered to have failed the sequential test, in any event, the proposal is considered to fail the exceptions test also. The proposal is not considered to provide suitable benefits to the community which would outweigh the flood risk, in line with Paragraph 178 of the National Planning Policy Framework, 2024. On this basis, the proposal would fail the exceptions test, and would therefore be contrary to . Policy 4 of the South East Lincolnshire Local Plan, 2019, as well as Section 14 of the National Planning Policy Framework, 2024 in this eventuality also.

As such, the proposal is considered to fail to pass the sequential or exceptions tests, and is therefore contrary to the provisions of Section 14 of the National Planning Policy Framework, 2024, as well as Policy 4 of the South East Lincolnshire Local Plan, 2019.

- 3 It is considered that the proposal, due to the need to raise finished floor levels substantially, would significantly and detrimentally overlook neighbouring dwellings; thereby impeding upon the amenity enjoyed by the occupants of these dwellings.

The proposal is therefore considered contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019, and the National Planning Policy Framework, 2024, which outline that the provision of good residential amenity should be an outcome of planning decisions.

#### 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:

- 3354-S01-r3 - Site Plans - Location Plan & Proposed Block Plan
- 3354/01/R0 - Proposed Elevations
- 3354/02/R0 - Proposed Floor Layout
- 3354/GD1/R0 - Garage Elevations
- 3354/GD2/R0 - Garage Floor Layout
- Flood Risk Assessment, prepared by S M Hemmings, dated 21st October 2025
- Biodiversity Net Gain Assessment, produced by HS Ecology, dated 20th October 2025
- BNG Metric Calculation Tool



**Phil Norman**  
**Assistant Director - Planning and Strategic Infrastructure**  
**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](mailto: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.