SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H05/0105/93 Received:11-FEB-93 Type:OUTLINE

Name: Mr & Mrs R G Wright
Onslow House
Fleet Hargate
Spalding
Lincs

Agent: Loweth Cowling Design
Station House
Station Street
Holbeach
Spalding, Lincs

Description: Residential development, using existing access

Location : Onslow House Fleet Hargate
Spalding Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

1 The proposed development is located on land which is allocated in the Interim Boundary of Development for Fleet Hargate for small businesses. The proposed development is contrary to that policy.

2 The proposed development would constitute a backland form of development prejudicial to the visual amenities of the area.

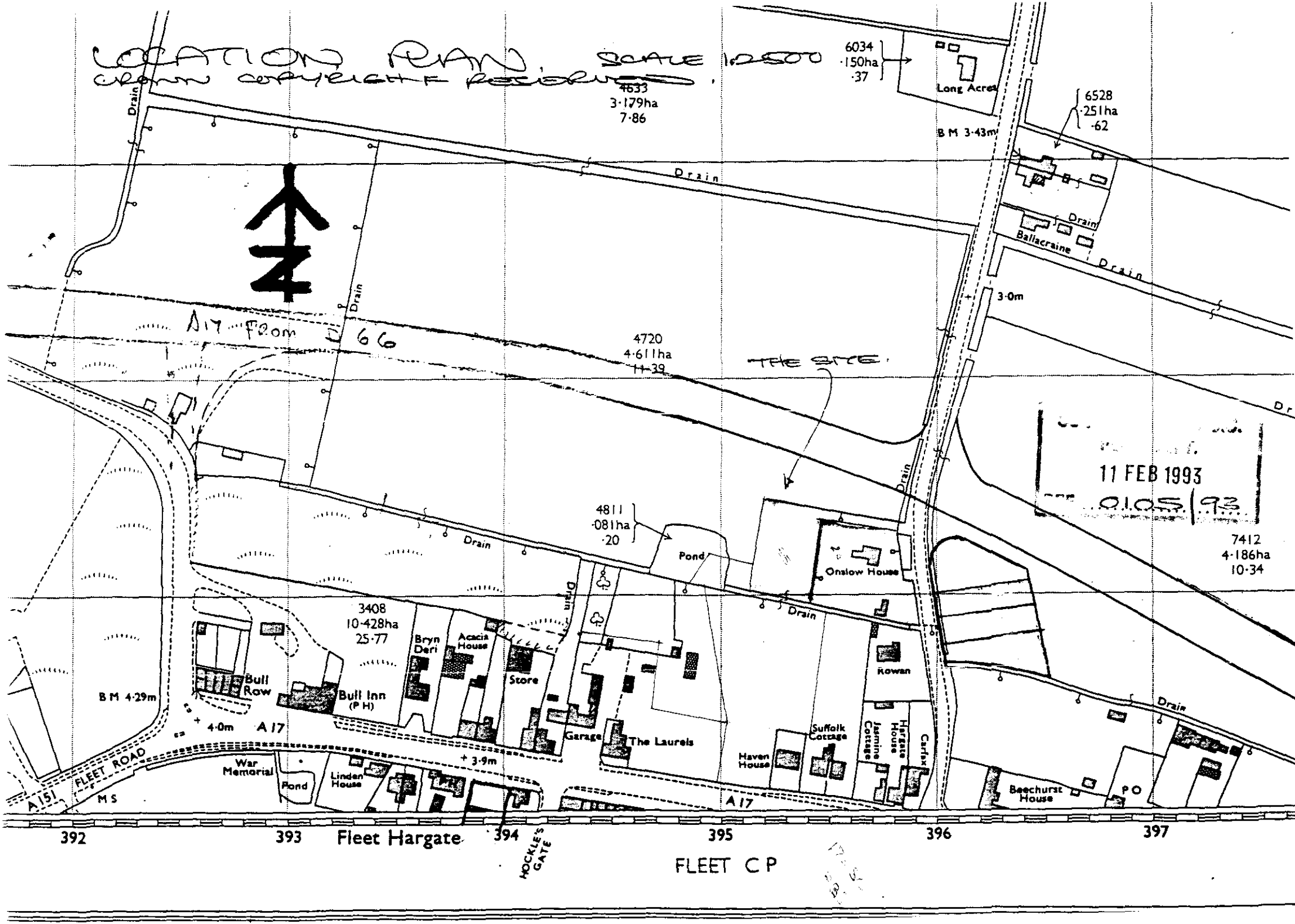
3 The proposed development, by virtue of its proximity to the A17 road, would be likely to have a maximum exterior noise level in excess of that which the Local Planning Authority considers acceptable.

Director of Planning and Building Control Services
18-MAR-93 H05/0105/93

This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)


LOCATION PLAN. SCALE 1:2500
CROWN COPYRIGHT RESERVED.
4633
3·179ha
7·86
6034
·150ha
·37
Long Acres
6528
·251ha
·62
B M 3·43m
Drain
Ballacraine
3·0m
A17 From
66
4720
4·611ha
11·39
THE SITE
11 FEB 1993
91/0105/93
4811
·081ha
·20
Pond
Onslow House
7412
4·186ha
10·34
3408
10·428ha
25·77
Bryn Deri
Acacia House
Store
Bull Row
Bull Inn (P H)
B M 4·29m
4·0m
A17
Garage
The Laurels
Rowan
Suffolk Cottage
Jasmine Cottage
Hargate House
Carfax
Haven House
3·9m
War Memorial
Pond
Linden House
A151
FLEET ROAD
M S
Beechurst House
P O
392
393
Fleet Hargate
394
HOCKLEY'S GATE
395
396
397
FLEET C P

The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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Loweth Cowling Design
Station House
Station Street
HOLBEACH
Lincolnshire
PE12 7LF

Your ref:

Our ref:
T/APP/A2525/A/93/221665/P8

Date
9 JUL 93

S.H.D.C. PLANNING DEPT.
RECEIVED
12 JUL 1993
Attention of DEO NRM DOFO
Action by
Discuss with
Copy to Local Plans

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR & MRS R G WRIGHT
APPLICATION NO: H05/0105/93

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the South Holland District Council to refuse outline planning permission for residential development, using existing access, at Onslow House, Fleet Hargate, Spalding. I have considered the written representations made by you and by the Council. I have also considered those representations made directly by other parties to the Council, including those of the Parish Council, which have been forwarded to me. I inspected the site on 11 June 1993.

2. From what I have seen and read of this case I have decided that the main issues are, firstly, whether the proposed development would significantly harm the character and appearance of the area and, secondly, whether noise levels from the A17 would create intolerable living conditions for the occupiers of the new dwellings.

3. The proposal involves the erection of three detached dwellings on a plot immediately to the west of Onslow House, using the same access as the main house. All matters other than access are reserved for subsequent approval. The appeal site lies within an area defined on the indicative map attached to the approved Planning Policy for Fleet Hargate for the use of small businesses. In this zone, only residential development associated with businesses will be permitted though you say that permission has recently been granted in outline for eight dwellings on the land to the south of the appeal site, within the zone.

100%
RECYCLED PAPER

4. The purpose of these policies for small villages such as Fleet Hargate is to provide a basis for the interpretation of the Structure Plan in the control of development in and around settlements. Notwithstanding the permission to the south, which was the subject of a previous planning permission, the Council is entitled to implement its policy of reserving land for business use. Normal housing will not be permitted in this area since there is sufficient land within the village to meet likely demands over the next few years.

5. I saw during my site inspection that several other backland developments have been allowed in Fleet Hargate and, in the circumstances applying to the appeal site, I would not dismiss the appeal on that ground alone. There would be no direct overlooking of properties in this case - one of the poorer, more unacceptable characteristics of some backland developments.

6. On the second issue, I would not turn down the appeal because of excessive noise from the main A17 trunk road. The Council has recently allowed several developments on sites nearer to the main road than the appeal site and, although I do not dispute the advice from the Department of Environment on external noise levels, insufficient evidence has been submitted by the Council to justify the application of these guidelines in this particular case.

7. On balance, I have concluded that the informal development control policy of the Council, illustrated in the plan for Fleet Hargate, should carry more weight than the other factors in favour of the proposal. If there had been no business zone I would have regarded the proposed development as extending the built-up area into the open countryside with harmful consequences both on the appearance of the countryside itself and on the character of the urban fringe. I am also mindful that a precedent could be established which might make it difficult for the Council to resist other non-business-related developments in this area. This could, in turn, lead to the collapse of the Council's embryo policy for the village.

8. I have considered all other matters raised, including the mature screening of the site and the lack of third party objections to the proposal, but I have found nothing to override the strong local policy objection to the proposed development.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

J. Gale

J Gale BA(Hons) Dip TP MRTPI
Inspector