

PLANNING STATEMENT

On behalf of

Exors of K W Stokes Esq

In respect of a Planning Application for

*Lambert House
Lambert Bank
Holbeach Drove
Spalding
LINCOLNSHIRE
PE12 0PR*

*For removal of the Agricultural Habitation Clause, being Condition No. 2
of Full Planning Consent H09-0175-71 granted and dated 17/6/71.*

Prepared by:

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1. INTRODUCTION

Full Planning permission was applied for by Mr K W Stokes to build a detached 3 bedroom house with garage at Lambert Bank, Holbeach Drove, Spalding. Consent was granted by the South Holland District Council under planning application reference No.H09-0175-71, subject to conditions, one of which (Condition No. 2) reflected the normal wording for an Agricultural Habitation restriction.

The specific Agricultural Habitation Clause wording under Condition No. 2 of the Planning Consent stated that *'The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed, locally in agriculture as defined in section 221(1) of the Town and Country Planning Act 1962, or forestry, or a dependent of such a person residing with him (but including a widow or widower of such a person)'*.

2. THE PRESENT SITUATION:

Mr K Stokes, the applicant who resided at the property, has recently died and the property is to be sold.

3. PLANNING POLICY:

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (Adopted March 2019) states that in Other Service Centres, such as Holbeach Drove, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities, or helps meet the service needs of other local communities. Development will normally be limited to committed sites and infill.

4. THE CASE

The property is within Holbeach Drove Settlement boundary as defined within the South East Lincolnshire Local Plan (SELLP), Adopted 2019. There has therefore been a change of circumstance since planning permission was granted for an agricultural dwelling in 1971, in the sense that the site is no longer in open countryside, but rather inside Holbeach Drove's Settlement boundary. Any application for residential development in the present day would comply with Policy 1 of the SELLP on grounds of infill within Holbeach Drove's settlement boundary. Consequently, an agricultural restriction can no longer be justified, since its essential purpose is to restrict development in the countryside, to that related to agriculture.

5. **CONCLUSION**

The planning condition can no longer be justified. We respectfully therefore ask that Condition 2 be removed.

Signed:

A black rectangular box redacting the signature of Mrs A Brotherton.

Mrs A Brotherton, BSc (Hons) MRICS,
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Dated this 9 August 2023

Ref: ASB/Stokes/2023

LIST OF APPENDICES

1. APPENDIX A: Original Planning application plan showing the application site edged red
2. APPENDIX B: Copy of the original Planning Consent H09-0175-71
3. APPENDIX C: SELLP Policies Inset Map 44 Holbeach Drove

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South Holland District Council
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