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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference:	H05-0861-25	Date of Decision:	10th November 2025
Applicant:	Mr A Wright 14 Cross Street Fleet Spalding Lincolnshire PE12 7BD		
Location:	Adjacent To 14 Cross Street Fleet Spalding Lincolnshire		
Description:	Proposed Dwelling		

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 Policy 2 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) states that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses. Policy 3 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) states that development proposals will demonstrate how an acceptable design of development including residential amenity will be secured. Policy 30 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) states that development proposals will not be permitted where they would lead to unacceptable adverse impacts on the amenities of the area.

The proposed dwelling would have a height of approximately 7800mm; a scale that is significantly taller than the neighbouring dwellings which comprise heights of 6000mm and 5500mm respectively. The resultant built form, by way of its chalet bungalow design and

its proposed scale, would conflict with the design of the vast majority of dwellings in the immediate area. The recent appeal dismissal on site stated that *'dwellings have a prevailing single storey appearance... These factors combine to provide general consistency in scale and a pleasant degree of spaciousness which complements the character and appearance of the settlement edge'*.

The proposed dwelling comprises a resultant height that is no less than that previously refused and dismissed on site, and would retain its unacceptable and incongruous form.

In addition, the proposed dwelling would also extend significantly beyond the existing neighbouring dwelling of No.14. The proposed dwelling would be sited as to provide a similar frontage arrangement to that of No.14; however, would extend notably beyond the front of No.18, whilst comprising an extensive built form as to extend beyond the rear of this neighbouring dwelling also. This further emphasises the significant mass and bulk of the proposed development, which appears incongruous with the wider area.

The proposed development would impact upon the aforementioned consistent appearance and thus would harm the character and appearance of the area.

Overall, the scale of the proposed dwelling, in respect of both its overall mass, bulk and height, in addition to the design choice of a chalet bungalow, would result in an unacceptable design, that conflicts with the area and goes against the common design choices. The proposal is not considered to be acceptable and is considered to be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP, 2019) and Paragraph 135 of the National Planning Policy Framework (NPPF, December 2024).

- 2 Paragraph 135 of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The overall scale of the proposed dwelling, in respect of its mass, bulk and height; coupled with the location of roof windows and their low level within the roofslope on the east and west elevations, are considered to cause opportunities for a loss of privacy to No.14 and No.18 Cross Street, whilst causing an overbearing, oppressive and unacceptable impact.

The proposal is therefore considered to be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Paragraph 135 of the National Planning Policy Framework (December 2024).

Notes:

The determined plans are:

- PD201 Rev P1 - Plans, Elevations & Section - Location Plan, Existing & Proposed Block Plans, Floor Plans & Roof Plan
- DAS201 (P1)- Design & Access Statement
- BNGS201 (P1) - Biodiversity Net Gain Statement
- ECL0999a/ANDREW M WRIGHT LTD- Flood Risk Assessment - September 2025

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
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) 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.