Beacon Council 2003-2004 Supporting the Rural Economy

SOUTH HOLLAND

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Priory Road
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Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H06/0464/03 Received: 10-APR-03 Type: OUTLINE

Name: Mr & Mrs R Churchill
Chartwell
83 Gedney Road
Long Sutton
Spalding Lincs PE12 9JU

Agent: Mr & Mrs R Churchill
Chartwell
83 Gedney Road
Long Sutton
Spalding Lincs PE12 9JU

Description: Erection of two bedroom bungalow

Location : 85 Gedney Road Long Sutton

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

1 The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy H3 of the adopted South Holland District Local Plan and Policy 13 of the Lincolnshire Structure Plan Review. These policies are in accordance with national planning policies set out in Planning Policy Guidance Note No. 7, 1997 (The Countryside - Environmental Quality and Economic and Social Development), and are aimed at the conservation of agricultural land, the preservation of the character of the countryside, and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the development as proposed would be harmful to the purposes of these policies because, as well as its individual effect on these issues, it would form a precedent for further similar proposals which would be difficult to resist.

Note(s):

The determined plans are:
Site location plan received 10 April 2003.

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Signature

Head of Planning & Development
31 JUL 2003

H06/0464/03

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

Terry Huggins Chief Executive
Bob Atkins Director of Coporate Services Andrew Petcher Acting Director of Customer Services

Town and Country Planning Act etc

DRAFT REFUSAL

Reference H06/0464/03 Received: 10-APR-03 Type: OUTLINE

Name: Mr & Mrs R Churchill
Chartwell
83 Gedney Road
Long Sutton
Spalding Lincs PE12 9JU

Agent: Mr & Mrs R Churchill
Chartwell
83 Gedney Road
Long Sutton
Spalding Lincs PE12 9JU

Description: Erection of two bedroom bungalow

Location : 85 Gedney Road Long Sutton

South Holland District Council hereby give notice that permission has been refused etc for the following reasons:

1 The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy H3 of the adopted South Holland District Local Plan and Policy 13 of the Lincolnshire Structure Plan Review. These policies are in accordance with national planning policies set out in Planning Policy Guidance Note No. 7, 1997 (The Countryside - Environmental Quality and Economic and Social Development), and are aimed at the conservation of agricultural land, the preservation of the character of the countryside, and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the development as proposed would be harmful to the purposes of these policies because, as well as its individual effect on these issues, it would form a precedent for further similar proposals which would be difficult to resist.

Note(s):

The determined plans are:

location plan received on 10/4/03

31/7/03

Director of Customer Services
28 JUL 2003

H06/0464/03

Appeal Decision

Site visit made on 10 June 2004

by Martin Andrews MA BSc(Econ)DipTP(Dist)MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date

30 JUN 2004

Appeal Ref: APP/A2525/A/04/1139961
85 Gedney Road, Long Sutton, Spalding, Lincolnshire PE12 9JU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Judith Churchill against the decision of South Holland District Council.
- The application Ref H06/0464/03, dated 10 April 2003, was refused by notice dated 31 July 2003.
- The development proposed is the erection of a two bedroom retirement bungalow.

Decision

1. For the reasons given below I dismiss the appeal.

Reasons for the Decision

2. The Council has an adopted Local Plan in force (the South Holland District Local Plan, 1998) which seeks, amongst other matters, to protect the open countryside from unnecessary development. This reflects national guidance in Planning Policy Guidance Note 7: The Countryside – Environmental Quality and Economic and Social Development.

3. Paragraphs 4.28 to 4.30 of the Local Plan explain that new dwellings in the open countryside are only permitted in exceptional circumstances in connection with agriculture. Policy H3 gives effect to this strategy which is in line with Policy 13 of the Lincolnshire Structure Plan Review, 2000.

4. I have noted the appellant's remarks in respect of the position of the plot in relation to other houses. However the site falls outside the Development Boundary for Long Sutton as formally shown in the Local Plan and therefore in respect of this document does lie within the open countryside. In my view Development Boundaries must be strictly adhered to as otherwise there would be a gradual encroachment of settlements into the countryside and a consolidation of sporadic development that would change the character and appearance of the rural area.

5. The appeal proposal is not put forward on the basis of an agricultural need which could be permitted under Local Plan Policy H3 and, if allowed, would have to be an exception to established policies. And although I am sympathetic to the appellant's individual circumstances I consider that they provide an insufficient justification to depart from those policies. Indeed, were I to do so on this occasion, it would be difficult for the Council in fairness to refuse other applications where there are similar or other special personal circumstances. The effect would be to undermine the Council's objectives of protecting the open countryside from unnecessary development.

6. I agree with the point made that the appeal site is not agricultural land and has not been ..or a very long time. However neither this, nor all the other points raised by the appellant, persuades me that I should depart from the Council's policies and permit a development that would both harmfully extend the built up area of Long Sutton and weaken the national and local objectives for the protection of the countryside from unnecessary development

INSPECTOR