



that is unduly and unsuitably extensive within the street scene, further exacerbating the harm caused to the character of the area.

The proposed development of Plot 9, by virtue of scale, siting and design, is not considered to be appropriate for its context and is considered to be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and fails to accord with Section 12 of the National Planning Policy Framework (December 2024).

- 2 The proposed dwelling within Plot 9, would result in an intrusive and overbearing impact upon the neighbouring occupants of the residential home, located to the east. The proposed development would result in an increase in built form immediately neighbouring Mayfield Rest Home, comprising an unsuitable scale in respect of floorspace and height, which would be immediately east of the proposed dwelling, resulting in an unacceptable loss of outlook and loss of light to windows, with the development comprising a three storey form.

Taking the above into account, the proposed dwelling would be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), and Section 12 of the National Planning Policy Framework (December 2024), which seek to achieve appropriate levels of residential amenity.

- 3 By virtue of its siting, layout and design, the development of Plots 1-8 would fail to be in keeping with the character of the area and would result in a harmful impact to the surrounding appearance, failing to make a positive contribution.

Following the proposed demolition of No. 45-47 Edinburgh Walk, the resultant character of this eastern side of Edinburgh Walk (Plots 1-4) would comprise a fairly consistent and linear form of residential properties, that are sited with a consistent pattern. This being residential properties that comprise similar degrees of setback distance from the highway, with private frontage parking. When viewing the surrounding character to the northern side of Fleet Street, between Edinburgh Walk and North Parade (Plots 5-8), the built form is also fairly consistent, with the existing residential properties comprising a similar degree of set back from the highway. This section of Fleet Street comprises no immediate highway fronting properties.

The proposed development comprises eight residential dwellings that are designed to immediately front onto the highway of Edinburgh Walk and Fleet Street, consisting of a siting and layout that is inconsistent with the surrounding context and street scene along both Edinburgh Walk and Fleet Street. The scheme proposes a shared parking court to the rear of the plots, forming a detrimental and poorly designed form. Furthermore, the proposed dwellings, comprising a semi-detached form, would also be excessive in height compared to the immediately neighbouring built forms, proposing a height in excess of 10.0 metres for Plots 1-4, which is neighbouring a chalet bungalow and a height in excess of 9.0 metres for Plots 5-8.

As such, the proposed development, by virtue of its quantum of development, layout, design, and scale is not considered to comprise an appropriate form of development. The development is considered to cause a harmful and unacceptable impact upon the character of the area, and is considered to be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), and Section 12 of the National Planning Policy

Framework (December 2024).

Notes:

The determined plans are:

4202-23 04A - Proposed Elevations and Floor Plans - Plots 1-4

4202-23 05 - Proposed Elevations and Floor Plans - Plots 5-8

4202-23 06A - Proposed Elevations and Floor Plans - Plot 9

4202-23 03D - Location Plan, Existing Site Plan and Proposed Site Plan

Flood Risk Assessment by Ellingham Consulting Ltd dated December 2024

Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment Report by KJ Ecology Ltd dated November 2024

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>

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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.