

Lincs Design Consultancy  
12 Vickers Lane  
Louth  
Lincolnshire  
LN11 9PJ

Council Offices  
Priory Road  
Spalding  
Lincolnshire  
PE11 2XE  
Admin 01775 764725  
DC Officers 01775 764703

planningadvice@sholland.gov.uk  
www.sholland.gov.uk

## TOWN AND COUNTRY PLANNING ACT 1990 FULL

**Reference:** H09-1278-25 **Date of Decision:** 27th February 2026  
**Applicant:** Loosegate Developments Ltd  
C/O Lincs Design Consultancy  
12 Vickers Lane  
Louth  
Lincolnshire  
LN11 9PJ  
**Location:** Land East Of Forest Way Holbeach Spalding Lincolnshire  
**Description:** Proposed Erection of 2 Bungalows

**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 The proposed development represents an incongruous and cramped form of development due to the proposed siting of the dwellings within the site. The proposal represents an overdevelopment of the site which would be out of keeping with the locality, character and appearance of the area, including the surrounding built environment. This would result in an unacceptable impact on the character and appearance of the area.

Therefore, the proposed development conflicts with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), which seek to ensure that proposals create distinctive places that are in keeping with the area. Furthermore, the proposal conflicts with Paragraph 135 of the National Planning Policy Framework (December 2024), which seeks to maintain and protect the prevailing character and setting of areas (including residential gardens), together with the importance of securing well-designed, attractive and healthy places. The very limited benefits of the scheme, being the provision of two dwellings, would not outweigh the identified harm and does not represent sufficient planning gain when weighed in the planning balance.

- 2 The proposal would result in an unacceptable degree of outlook from the proposed bungalows due to the proposed positioning of 1.8m high timber fencing approximately 1 metre from the rear elevation of the bungalows. This fencing would block most of the outlook from the rear windows of the bungalows, resulting in an unacceptable impact on the amenity of future occupants.

Therefore, the proposed development conflicts with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Paragraph 135 of the National Planning Policy Framework (December 2024), which amongst other things, seek to ensure proposals have an acceptable impact on the amenity of occupants.

Notes:

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>

The determined plans are:

Application Form  
LDC4657 - 10 - Site Plans  
LDC4657 - 11 - Proposed Bungalows  
02.12.2025 - Flood Risk Assessment  
02.12.2025 - Supporting Statement  
BNG Metric Calculation Tool  
02.12.2025 - Small Sites BNG Statement  
LDC4657 - 12 - Biodiversity Net Gain Plans



**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](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://appeal-planning-decision.service.gov.uk/before-you-start>. 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.