Lincs Design Consultancy Ltd
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: H11-0120-24 **Date of Decision:** 8th April 2025

Applicant: Brownmoor Developments (Long Sutton) Ltd
Browns Yard
Seas End Road
Moulton Seas End
Spalding
PE12 6JX

Location: Land Off Little London Long Sutton Spalding Lincolnshire

Description: Proposed residential development (123 dwellings) - previously approved under H11-0398-12.

South Holland District Council hereby give notice that this application has been REFUSED for the above proposal for the following reason(s):

1 The proposed development, which is located on the edge of the village would have an overly urbanising impact upon the character of the settlement and the adjacent countryside character area. Due to its density, it represents an overdevelopment of the committed housing site, which permits a scheme for 87 low carbon dwellings. Given the existing residential layout along this part of Long Sutton as well as the sites proximity to the open countryside, this increased density is not considered to be in-keeping. Furthermore, the arrangement of dwellings is considered not to provide a sufficient natural surveillance over proposed public open space and would likely therefore represent poor defensible space design. Therefore, based upon its relationship with the existing settlement, the adjacent open countryside as well as its internal layout and density the proposal would not be easily absorbed into this site, or the wider locality.

On this basis the proposal is not considered to accord with policies 2 and 3 of the South East Lincolnshire Local Plan 2019 as well as paragraphs 135 and 187 of the National Planning Policy Framework (December, 2024).

2 The proposed development would give rise to unacceptable amenity concerns for existing residents and would also give rise to pedestrian safety concerns for future residents. The increased number of dwellings, over the previously approved amount, would result in a significant increased number of vehicular trips, so intensifying the single access/egress to the site, to the detriment of the amenity of existing residents along Little London, whom would be subjected to unacceptable impacts in relation to noise, disturbance and other polluting activities. Furthermore, given a continuous footpath along the eastern side of Little London does not exist, future residents of this scheme, that choose to walk are likely to be subject to safety concerns when using the local highway.

On this basis the proposal is considered to be contrary to policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2019 as well as paragraph 135 of the National Planning Policy Framework (December, 2024).

3 The proposed development would result in a net loss of biodiversity across this site. The scheme would remove large areas of existing vegetation, which has implications for the flora and fauna contained within the site and on its periphery. On this basis the proposal gives rise to ecological related concerns and is considered to be contrary to policies 3 and 28 of the South East Lincolnshire Local Plan 2019 as well as paragraphs 187 and 192 of the National Planning Policy Framework (December, 2024).

4 The applicant has failed to justify through an appropriate housing needs assessment why the amount and nature of the affordable units are appropriate. The plans show that all 57 of the proposed affordable housing units would be condensed within the south-eastern corner of the application site, rather than being integrated within the wider scheme. Furthermore, the number, house types proposed and tenure of affordable units proposed are not sufficiently demonstrated by the applicant to meet an identified local need within their housing needs assessment.

On this basis the proposal is contrary to policies 6 and 18 of the South East Lincolnshire Local Plan 2019 as well as section 5 of the National Planning Policy Framework (December, 2024).

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, Members of the Planning Committee, which took the decision to refuse planning permission, consider that 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:

LDC3963-PL-02_B Proposed Landscaping & Boundary Treatments

LDC-3963-PL-03F Proposed Site Plan
LDC3963-AP-01H Affordable housing tenure plan
LDC3963-PL-01 Location Plan and Existing Site Plan
LDC3963-PL-04C The Sycamore
LDC3963-PL-05C The Maple
LDC3963-PL-06F The Juniper
LDC3963-PL-07C The Tulip
LDC3963-PL-08C The Yew
LDC3963-PL-09C The Cherry
LDC3963-PL-10C The Cherry
LDC3963-PL-11C The Fir
LDC3963-PL-12B The Hornbeam
LDC3963-PL-13C The Cedar
LDC3963-PL-14C The Holly
LDC3963-PL-15D The Yew
LDC3963-PL-16C The Blackthorn
LDC3963-PL-17C The Elder
LDC3963-PL-18C The Hazel
RHC-24-015-TA Transport Assessment
RHC-24-015-TP Travel Plan
12599-WMS-ZZ-XX-T-C-39301-S8-P2 Flood Risk Assessment



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
South Holland District Council

DC_FINAL_DECISION - ODB:14

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.