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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H11-0221-17 **Date of Decision:** 26th October 2017

Applicant: Foreman's Bridge Caravan Park
Sutton St James
Spalding
Lincs
PE12 0HU

Location: Land West Of Mcdonalds Restaurants Ltd Vicarage Lane Long Sutton Spalding

Description: Mixed use development comprising of a mix of static caravans, cottages, workshop, fishing lake, site office and static caravan sales

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

1 The site is a landmark site located at an important and prominent entrance to the historic town of Long Sutton. It is also close to Seagate Hall and associated stable block (both grade II listed) to the west. The proposal is large scale and the static caravans and caravan sales area in particular would have a utilitarian appearance. It is considered that the proposal would constitute an intrusive and utilitarian form of development that would have a harmful effect upon the character of the area and setting of Seagate Hall and associated stable block. Moreover, future occupiers of the static caravans in particular would have a low level of amenity due to noise and disturbance created by traffic noise from the nearby arterial road network and also general activity on the neighbouring unrestricted McDonald's site.

The site is not therefore considered to be a suitable site for the proposed development with particular regards to the principles of sustainable development and the protection of the character of the area. The proposal is therefore contrary to Policies SG1, SG2, SG4, LT7, SG13 and SG17 of the South Holland Local Plan and Paragraphs 7, 8, 14, 17 and 58

of the National Planning Policy Framework, 2012. Paragraphs 7, 8 and 14 indicate that new development should be sustainable having regard to economic, social and environmental factors. Paragraph 17 of the Framework indicates that one of the core principles of planning is the protection of the character of the countryside. Paragraph 58 indicates that new development should respond to local character. Paragraphs 132 and 133 state that where a proposed development will lead to substantial harm to a designated heritage asset local planning authorities should refuse permission unless it is outweighed by substantial public benefits. Whilst it is recognised that the proposal constitutes a rural enterprise that would bring some economic benefits to the local area this factor is outweighed by the aforementioned concerns.

2 The details submitted in support of this application for a major development fail to provide sufficient evidence that the surface water run-off from the proposed development would be adequately managed utilising the principles of sustainable drainage in accordance with the requirements of both the National Planning Policy Framework, 2012 and Ministerial Statement dated 18 December 2014.

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. Furthermore, matters of concern with the application have been identified and discussed with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory solution and due to the harm, which has been clearly identified within the reasons for the refusal, 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:
Dwg. nos. SE-571-10, SE-571-11, SE-571-12, SE-571-13A, SE-571-14 and SE-571-15;
Flood Risk Assessment by Geoff Beel Consultancy (ref. GCB/Swann Edwards) dated November 2016;
Heritage Impact Assessment by Swann Edwards Architecture (ref. SE-571) dated May 2017.

Paul Jackson
Place Manager
South Holland District Council

BUILDING REGULATIONS:
This decision refers only to planning permission as granted under the Town and Country Planning

Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

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		

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.

All appeals must be made using an Appeal Form which you can get from The Planning Inspectorate at Temple Quay House, 2 The Square, Bristol, BS1 6PN (tel: 0303 444 5000) or you can submit your appeal online at:

http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal

The Secretary of State can allow a longer period for giving notice of an appeal but he 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 him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the

provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the Local Planning Authroity based its decision on a direction given by him.

For detailed information on appeals, appeal types and guidance on the appeals process please visit:

http://www.planningportal.gov.uk/planning/appeals/planningappeals

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.