The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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S.H.D.C. PLANNING DEPT.
RECEIVED
21 JUL 1992

Hix & Son
23 Church Street
Holbeach
Nr Spalding
Lincolnshire
PE12 7LL

Your Reference
CS/5974/SEC
Our Reference
T/APP/A2525/A/92/204325/P2
Date
20 JUL 92

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY LONG SUTTON BUILDERS LTD
APPLICATION NO: H11/1115/91

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the South Holland District Council to refuse outline planning permission for the erection of two residential dwellings on the site of a builder's yard, Wisbech Road, Long Sutton. I have considered the written representations made by you and by the council and also those made by other interested persons. I inspected the site on 13 July 1992.

2. From my consideration of the representations and my inspection of the site and the area I have formed the opinion that the main issue in this case is the effect of the proposal on the character and appearance of the area and the setting of the listed building having regard to the aims of the policies of the development plan for the area.

3. The appeal site is a builder's yard located on the western side of Wisbech Road. Wisbech Road connects the village of Long Sutton to a recently constructed by-pass carrying the A17 Trunk Road. Within the site and occupying most of its area is a fenced enclosure. Within the enclosure are two single storey buildings, one clad in corrugated asbestos the other in corrugated iron. On the north western side of the asbestos building is a caravan. To the rear of the site are open storage areas for builder's materials.

4. To the south east of the site is a Grade II listed building, Brunswick Mill.

5. Opposite the site on the eastern side of Wisbech Road is a pre-war bungalow. Between the site and the by-pass there are a series of dwellings and other buildings on both sides of the road. These include both pre-war and post war dwellings some of which are of recent construction. I understand also from the representations that planning permission has been granted recently for a further dwelling in this group. At the junction of Wisbech Road with the by-pass there is a modern restaurant, motel and filling station.

6. The County Structure Plan Alteration No1 was approved in 1991. The

100%
RECYCLED PAPER

concern that if this appeal were allowed a precedent would be created for further development. I do not consider this to be the case. The site is an underused site containing buildings which are closely associated with existing development. The development of this site would have the advantage of improving the setting of a listed building. I cannot believe that there would be many sites having these characteristics. In any event each case has to be considered on its merits. In allowing this appeal I must say that I believe that the site would not be capable of accommodating more than two dwellings without adversely affecting the character of the area and the setting of the listed building. I have taken account of all other matters raised in the representations but find none to outweigh the factors that have led to my decision.

11. For the above reasons and in exercise of the powers transferred to me I hereby allow this appeal and grant planning permission for the erection of two residential dwellings on the site of a Builder's Yard, Wisbech Road, Long Sutton in accordance with the application (No H11/1115/91) dated 12 November 1991 and the plans submitted therewith subject to the following conditions:

1a approval of the details of the siting, design and external appearance of the buildings the means of access thereto, and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the local planning authority.

1b application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this letter.

2. the development hereby permitted shall be begun on or before whichever is the later of the following dates:

a. 5 years from the date of this letter or

b. the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.

3. the dwellings hereby permitted shall be single storey dwellings.

12. Attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission and for the approval of the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

13. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

I am Gentlemen
Your obedient Servant

H H Jones RIBA DipTP MRTPI
Inspector

FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H11/1115/91 Received:14-NOV-91 Type:OUTLINE

Name: Long Sutton Builders Ltd.
Wisbech Road
Long Sutton
Spalding
Lincs

Agent: Messrs Hix & Son
28 Church Street
Holbeach
Spalding
Lincs PE12 7LL

Description: Erection of two residential dwellings

Location : Builders Yard Wisbech Road
Long Sutton Spalding Lincs

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

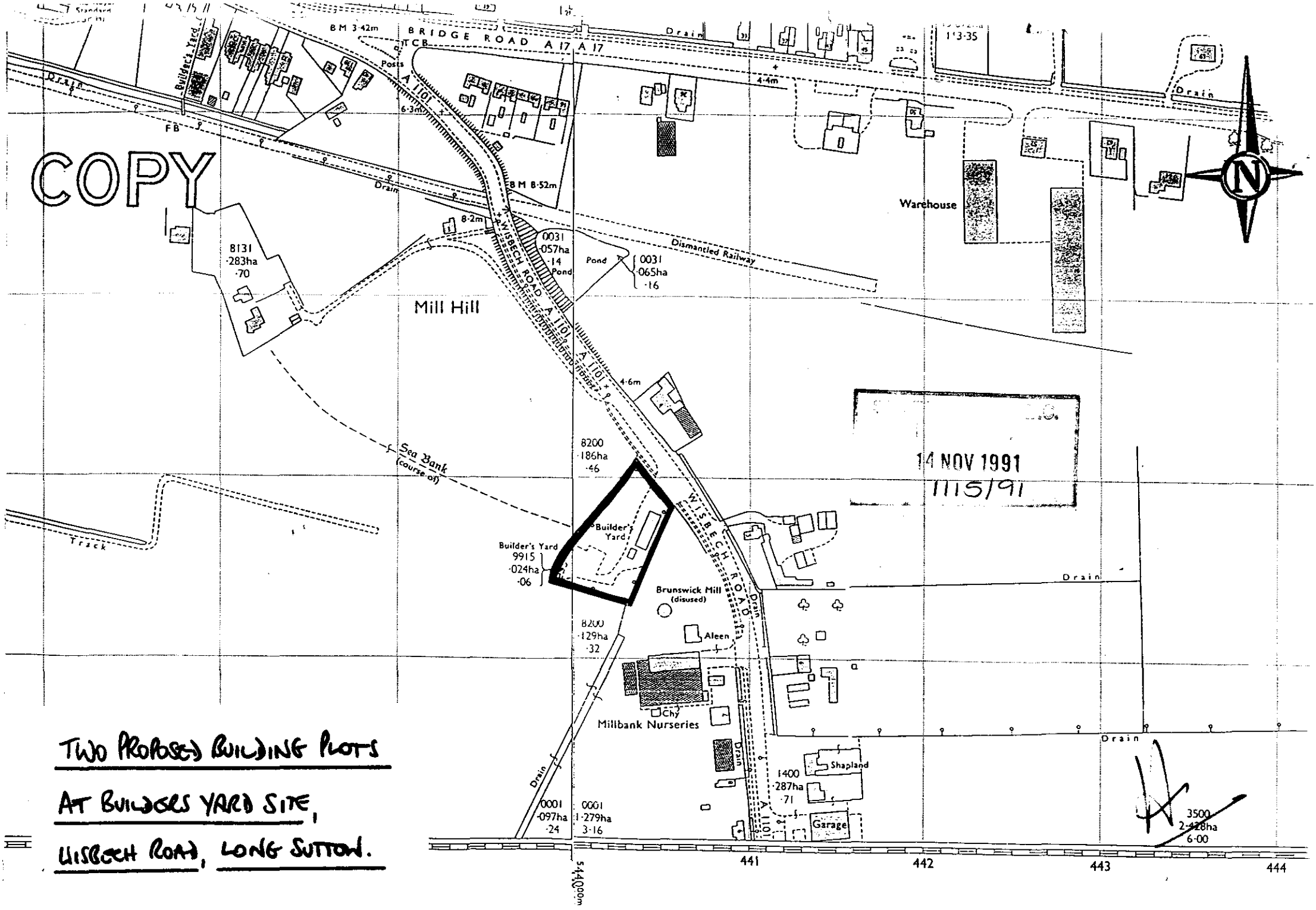
1 The site is outside the confines of a settlement where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy 7a of the Lincolnshire Structure Plan and also Long Sutton and Sutton Bridge Local Plan Policy H4. These policies are in accordance with national planning policies as set out in Department of the Environment Policy Note 4, and are aimed at the conservation of agricultural land, the preservation of the character of the countryside, the regulation of the release of land for residential development and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the developent as proposed would be harmful to the purpose 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.

Director of Planning and Building Control Services
18-FEB-92 H11/1115/91

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

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)



TWO PROPOSED BUILDING PLOTS AT BUILDERS YARD SITE, WISBECH ROAD, LONG SUTTON.

Long Sutton and Sutton Bridge Local Plan was adopted in 1990. Both plans contain policies aimed at protecting the character and appearance of the countryside by restricting new residential development development in the open countryside. These aims reflect the Government's aim of safeguarding the countryside. Policy EN5 of the Local Plan includes the aim of improving the built environment of the Plan area by the development of unused or underused land. The Local Plan defines a development boundary for Long Sutton. The appeal site lies outside that boundary. The development plan is up to date and both its housing and environmental policies are material to this proposal. I therefore accord its policies considerable weight.

7. At the time of my visit the site appeared to be underused and I understand from the representations that the firm is moving to new premises in the area. This area is clearly detached from the village of Long Sutton by open fields. Even so the area from the appeal site to the A17 Trunk Road is clearly developed and that development appears to be continuing. The appeal site and the buildings it contains are part of this developed area in my view. PPG7 makes it clear that in considering rural housing development the creation of ribbon development or a fragmented pattern of development should be avoided. In this case however it appears to me that the site and its buildings form part of the existing pattern of development in this area. PPG7 also points out that minor extensions to groups of dwellings may be acceptable depending on the character of the surroundings. In my opinion the present use of the site and the appearance of the buildings it contains is not in character with the mainly residential nature of this area. The proposal would provide a development which would be in character with the area in my view. The proposal, in that it would involve the redevelopment of an existing builder's yard, would not extend development into the open countryside. It seems to me also that the removal of the existing structures on the site and their replacement by suitably designed dwellings would provide an environmental improvement to this under used site.

8. In relation to the effect of the proposal on the listed building I think that the present appearance of the site does not contribute visually to the setting of Brunswick Mill. It appears to me that suitably designed and sited dwellings with appropriate landscaping could improve the setting of this listed building. In this regard I believe that the scale of the dwellings would need to be carefully considered and that the mill should be visually dominant. I think that this could be achieved by making the proposed dwellings single storey and I propose to introduce a condition to that effect.

9. I have come to the conclusion therefore that the proposal would not harm the character of the area and that it would improve the setting of the listed building. In coming to that conclusion I have had in mind the aims of the policies of the development plan. I do not consider that the proposal would undermine the aims of the housing policies of the plan. In my view the proposal would be in line with aims of policy EN5 of the adopted Local Plan.

10. It would clearly be necessary in the interests of amenity to ensure that the design, siting and external appearance of the proposed dwellings and the landscaping of the site was appropriate to the area. Also in the interests of highway safety the form of access to the site needs to be properly determined. These matters can be properly dealt with as reserved matters and I do not think that there is a need to deal with them in greater detail at this stage. The council has expressed