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TOWN AND COUNTRY PLANNING ACT 1990 FULL

Reference: H11-1294-25 **Date of Decision:** 20th March 2026
Applicant: Mr & Mrs J Heading
4a Gimmels Gate
Long Sutton
Spalding
Lincolnshire
PE12 9AS
Location: 4a Gimmels Gate Long Sutton Spalding
Description: Change of Use of Storage Shed to Residential - Retrospective

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 application site is located outside of any defined settlement boundary outlined within the South East Lincolnshire Local Plan (2019) and as such is considered to comprise a countryside location. Policy 1 of the South East Lincolnshire Local Plan (2019) states that development in the Countryside will only be "permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits".

With regards to the development proposal, it has not been adequately demonstrated that the proposal necessitates a Countryside location, in accordance with the requirements set out within the South East Lincolnshire Local Plan (2019), nor that it would suitably meet the development needs of the area in respect of the three criteria listed in Policy 1 of the South East Lincolnshire Local Plan (2019).

Moreover, Policy 23 of the South East Lincolnshire Local Plan (2019) is concerned with proposals for the 'Reuse of Buildings in the Countryside for Residential Use'. Policy 23 sets out that proposals of this nature will be permitted provided that they meet all five set

criteria.

The existing building is of no architectural or historic merit to justify its retention. It is a rudimentary and typical example of a storage building. Furthermore, the development would not lead to an enhancement of the immediate setting of the building. In addition, no evidence of the structural integrity, or ability to be occupied without need for significant extension, alteration or rebuilding has been provided given that the proposal fails to demonstrate adequate accommodation. On this basis, the proposal fails to meet criterion 2 and 5 of Policy 23 of the South East Lincolnshire Local Plan (2019).

As such, the development would not be considered sustainable and would conflict with the spatial strategy for the area set out in Policy 1 of the Local Plan, which seeks to direct housing to existing settlements, within settlement boundaries. The proposal does not accord with any of the exceptions to the restriction of development in the open countryside, and directly conflicts with criteria outlined within Policy 23 of the South East Lincolnshire Local Plan (2019). It would also conflict with the National Planning Policy Framework paragraphs 82, 83 and 84.

Therefore, the proposal would be contrary to Policies 1, 17 and 23 of the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024).

- 2 The resultant development would provide approximately 48sqm of internal gross floor space, and the submitted layout plan fails to demonstrate the provision of a bedroom within the proposal, illustrating a kitchen, bathroom, living space and storage space only.

The nationally described space standards requires a minimum gross internal floor area of 50sqm for any single storey dwelling that would comprise a single bed and be occupied by two bed spaces (persons). As such, the proposal falls short of the required 50sqm internal floor space.

In addition, the nationally described space standards also requires that:

- "c. in order to provide 1 bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide"
- "e. 1 double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide"

Given that the submitted plans fail to illustrate the provision of any bedrooms, the proposal fails to evidence that this requirement is met.

Furthermore, the proposal site lies within Flood Zone 3 and within a hazard classification of 'Danger for Some', with a peak flood depth of 0.25m. Notwithstanding the submitted Flood Risk Assessment stating that the floor level of the development has been raised to a minimum of 400mm above existing ground level, neither the submitted plans nor the photographs demonstrate or evidence this to be the case.

As such, it has not been evidenced that level of works that would be required to achieve the necessary flood mitigation to ensure that the scheme exceeds the flood depths and therefore is safe for its lifetime, could be achieved without the resultant floor to ceiling height falling below the 2.3 metres required under the nationally described space

standards.

In light of this, the proposal affords insufficient internal living space, and fails to provide adequate internal accommodation as set out within the nationally described space standards. The development cannot be said to comply with the aim of the creation of high quality, beautiful and sustainable buildings. It is not of a high design quality, nor does the development create a place that is safe, accessible, promotes health and well-being, nor does it provide a high standard of amenity for users. There is no bedroom, the site lies within a quasi commercial site, and the building is not one of any architectural or historic value.

As such, the proposed development would fail to provide an adequate standard of residential accommodation for the occupants, and therefore the proposal would be at conflict with Policy 2, 3, 17 and 23 of the South East Lincolnshire Local Plan (2019), and Section 12 of the National Planning policy Framework (December 2024).

- 3 The site lies within Flood Zone 3 of the Environment Agency's Flood Maps for Planning, within an area classified within the South East Lincolnshire Strategic Flood Risk Assessment as "danger for some". The proposal is not considered to provide suitable benefits which would outweigh the flood risk.

Insufficient information has been provided in regard to flood resilient measures to demonstrate that the development is safe for its lifetime, and the application has not been supported by adequate information as to how residents would be safe in the scenario of a future flood event. It is on this basis that the proposal may present a risk to human life and/or property should a flood event occur, with no demonstrable (or potential for) a safe place of refuge should such an event take place.

Moreover, Policy 4 of the South East Lincolnshire Local Plan (2019), states that a "Change of use that would result in self-contained ground floor residential accommodation in areas of hazard rating 'danger for some', danger for most' and 'danger for all' will not be supported." As such, it is considered that, due to the flood risk on the site and the lack of suitable adaptation proposed, the occupants of the resultant dwelling would be at an undue risk of the impacts of flooding.

As such, the proposal is considered to result in the provision of self-contained ground floor residential accommodation in an unsuitable hazard rating area, and the proposal fails to demonstrate or offer suitable adaptation to ensure the development is safe for its lifetime, or prevent risk to human life and/or property should a flood event occur.

Therefore the proposal is contrary to the provisions of Section 14 of the National Planning Policy Framework (December 2024), and Policy 4 of the South East Lincolnshire Local Plan (2019).

Notes:

The determined plans are:

Location Plan

HP-GGL-02 - Elevations & Plans

HP-GGL-01 - Location & Block Plan - Amendment 1
December 2025 - Planning Statement
December 2025 - Flood Risk Assessment
5 January 2026 - BNG Statement

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>

<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://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.