SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H14/0359/94 Received:12-APR-94 Type:FULL

Name: Mr B Flynn
34 Fen Road
Holbeach
Spalding
Lincs

Agent: Cooper Architectural Design
Hocklesgate
Fleet
Spalding
Lincs

Description: Use of dwelling as two adjoining holiday units

Location : Walnut Cottage Mill Green Road
Pinchbeck Spalding Lincs

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

1 In the opinion of the Local Planning Authority, the use of this semi-detached cottage and its curtilage as two holiday units will result in an unacceptable loss of amenity to "Twelvetrees" by way of noise. Holiday-makers, as temporary residents are less inclined to keep noise levels down and to respect neighbours as permanent residents would be more likely to do.

2 The proposed two holiday units are sited in tandem. This will result in the forward most unit being disturbed by traffic accessing the holiday unit and car park at the rear.

Director of Planning and Building Control Services
24-JUN-94 H14/0359/94

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)

The Planning Inspectorate

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

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GTN 1374

Cooper Architectural Design
Hocklesgate
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SPALDING
Lincs
PE12 8LF

S.H.D.C. PLANNING DEPT.
RECEIVED
22 DEC 1994
Ans. Nos.
Cttee
Acknowledge YES/NO

Your Ref:

Our Ref:
T/APP/A2525/A/243491/P2

Date:
21 DEC 1994

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR B FLYNN
APPLICATION NO: H14/0359/94

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the South Holland District Council to refuse planning permission for the use of one dwelling as one/two adjoining holiday units at Walnut Cottage, Mill Green Road, Pinchbeck. I have considered the written representations made by you and by the Council and also those made by interested persons. I have also considered those representations made directly to the Council at application stage which have been forwarded to me. I inspected the site on 13 December 1994.

2. Planning permission is not required for the use of Walnut Cottage with its extension as one holiday unit, but the single storey rear extension has been converted to and is in use as a separate unit for which planning permission is required. I am therefore dealing with the application as one made under S73A of the 1990 Town and Country Planning Act as amended by Sch 7 (16) of the Planning and Compensation Act 1991, for the continued use of the rear extension as a separate holiday unit.

3. Planning Policy Guidance Note 21 acknowledges the importance of tourism to the economy, and it is Government policy that tourism should flourish provided that it respects the environment. This case is supported by the East Midlands Tourist Board, together with a number of letters from visitors in appreciation of the facility. However, Walnut Cottage is in a quiet rural location outside the built confines of any settlement, where it is normally national and local policy to restrict new housing development in order to protect the countryside from intrusion. It would be possible to restrict the separate use of the extension to a holiday unit, so I consider the main issue to be the impact of this use on the living conditions of neighbouring residents.

4. The site is promoted for its peace and tranquillity, and I noted the steps taken to secure the privacy of holidaymakers. The rear extension has no physical contact with the other semi detached house (Twelvetrees), and the walls are cavity insulated. You say that the majority of visitors are seeking a tranquil retreat, but there is no way this can be guaranteed. In my view the use of Walnut Cottage as two units is likely to result in more activity within and going to and from the site, and such activity is more disturbing in a quiet location. I consider that holidaymakers are more likely to keep late hours and be less inclined to keep noise levels down than permanent residents. The use of the gravel drive and parking to the rear of the Cottage at unsocial hours could well disturb the neighbours.

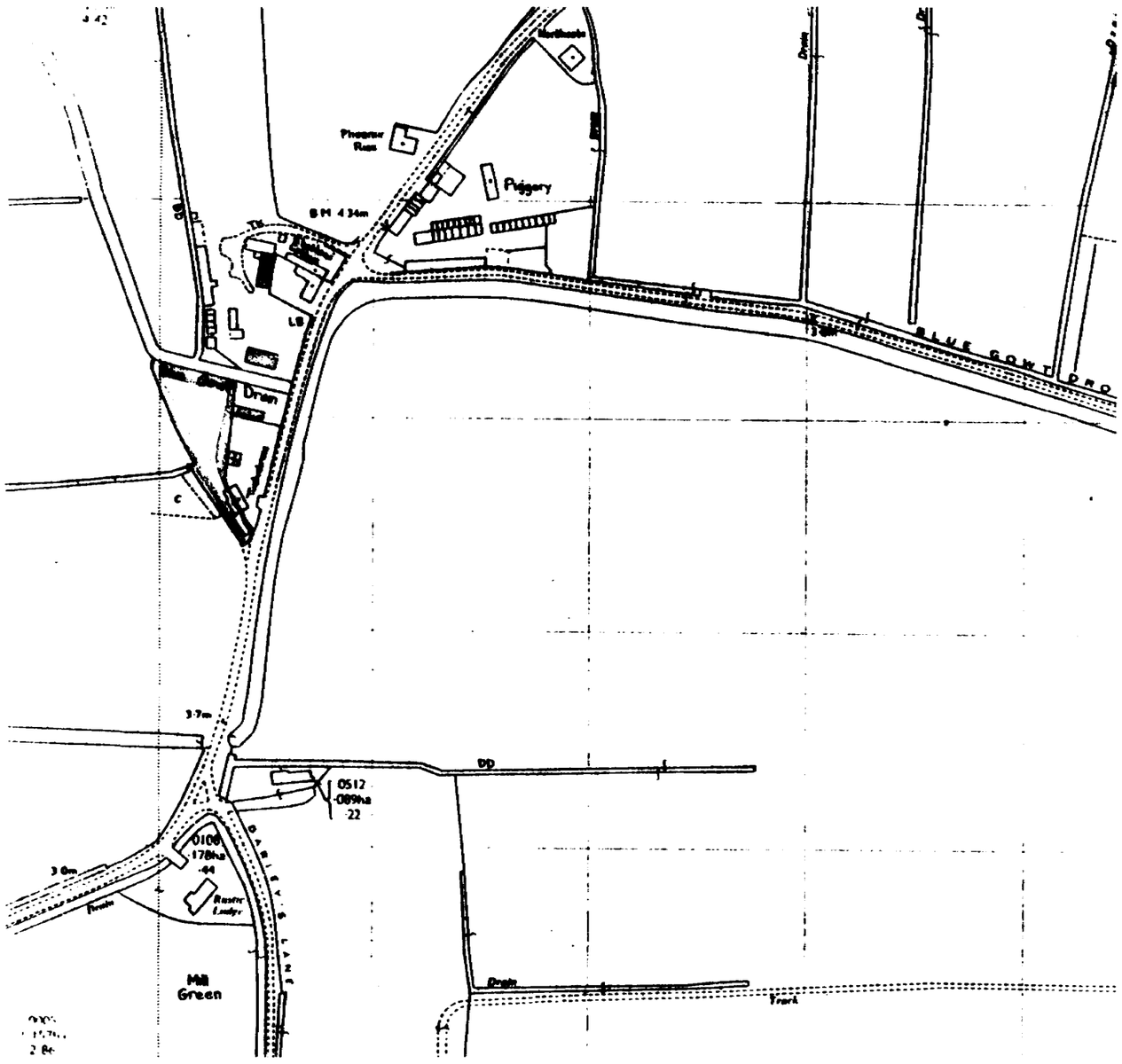
5. There is dispute as to the level of disturbance caused in the past, but Twelvetrees immediately abuts the site, and I find that activities generated by two holiday units may well cause noise and disturbance to its occupants. I therefore conclude that the use of the rear extension is likely to create unsatisfactory living conditions for neighbouring residents.

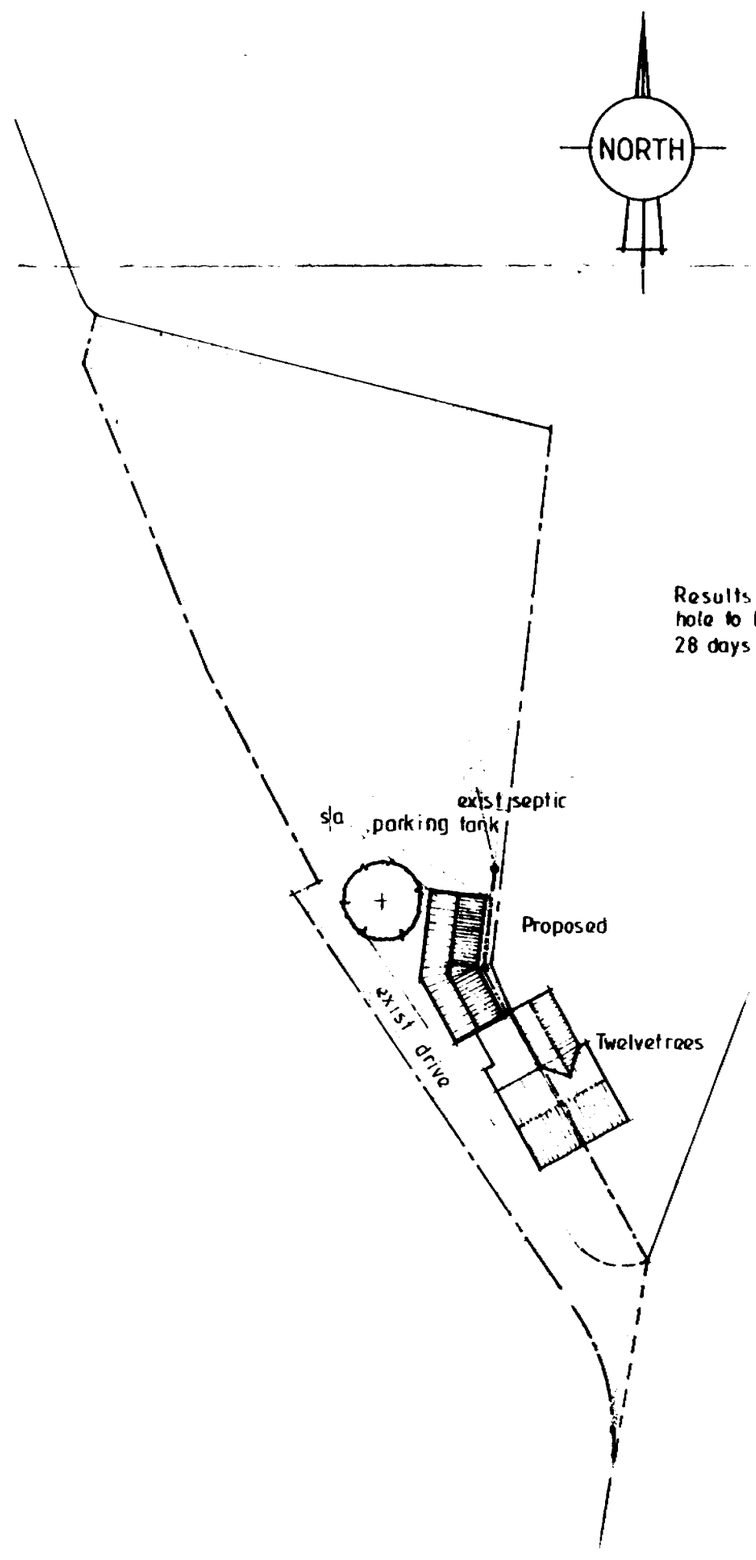
6. I have had regard to all the other matters raised, including smoke from the chimney, disruption of water supply, the possible obstruction of access to the adjoining field, and the matter of trespass. However, neither these nor any other matter alters or outweighs the considerations which led to my conclusion.

7. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

WENDY J BURDEN BA(Hons) DipTP MRTPI
Inspector





Notes & Schedules

SOUTH ... D.C.
PLAN DEPT.
12 APR 1994
REF ..0359/94..

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revision	date	init.	revision details

DETERMINED PLAN

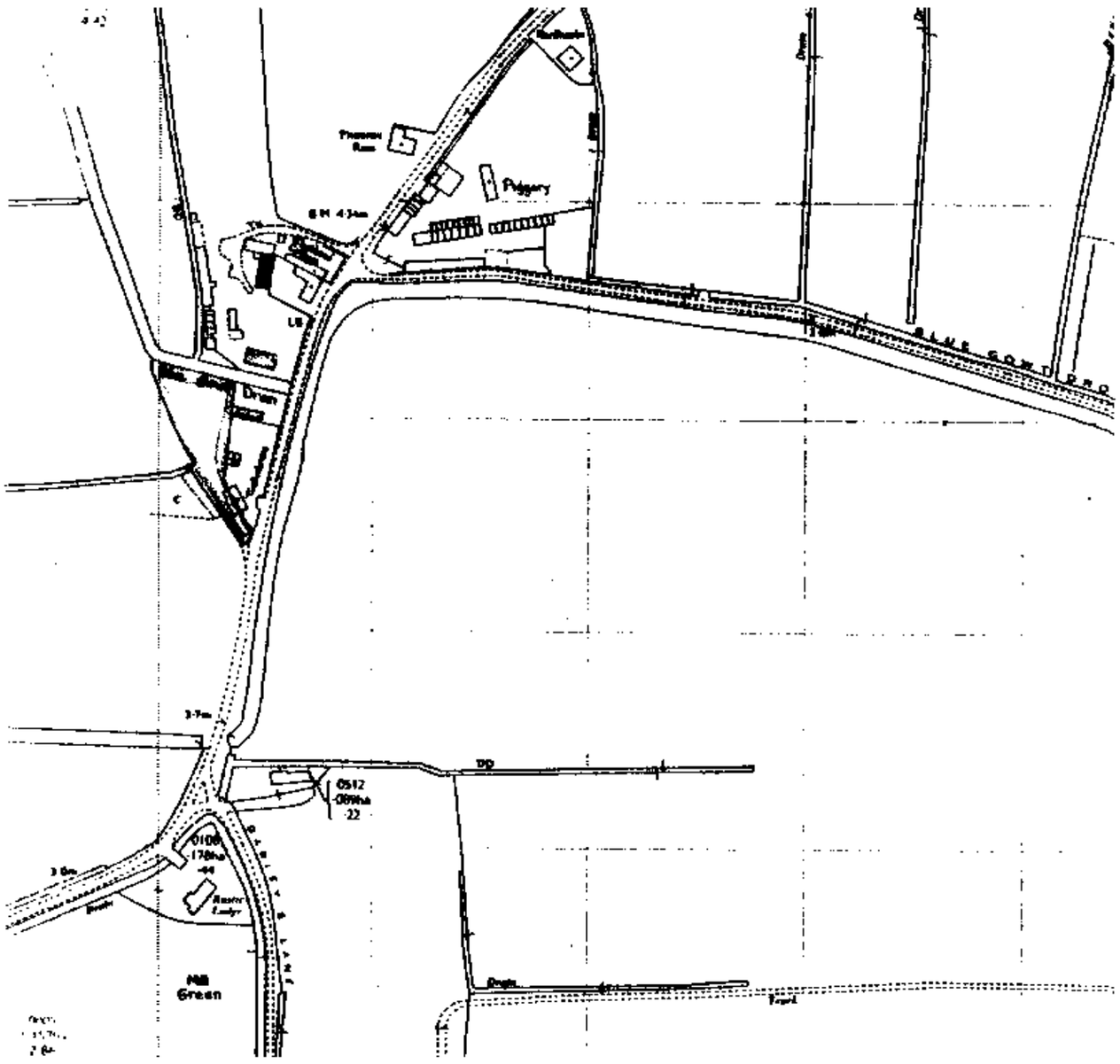
COOPER ARCHITECTURAL DESIGN

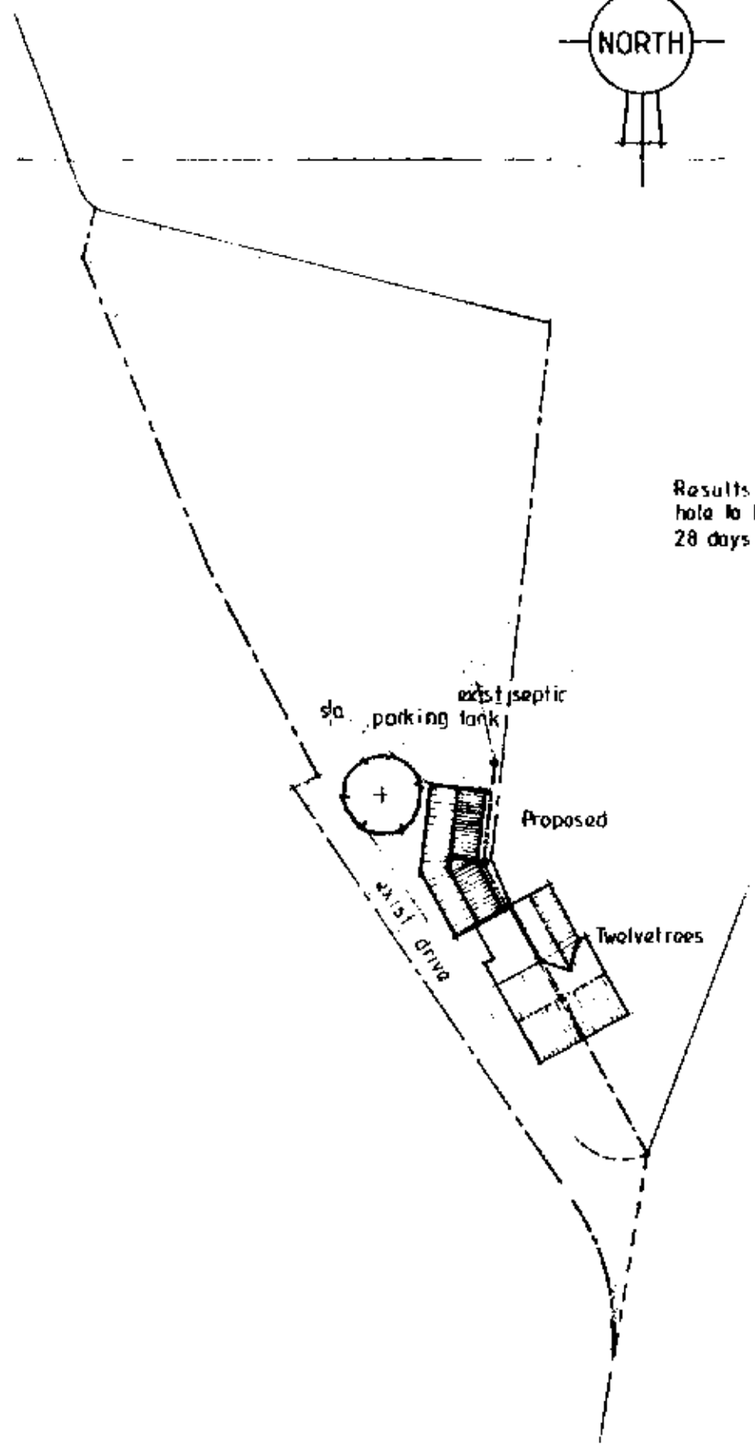
client
MR B. FLYNN.

project
PROPOSED EXTENSION TO
WALNUT COTTAGE
MILL GREEN ROAD
PINCHBECK
SPALDING
LINCS

drawing
BLOCK & LOCATION PLANS

scale	drawing no
	LS 9148·1
date	drawn
AUG '92	





Notes & Schedules

SOUTH ... D.C.
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12 APR 1994
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