FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

Chris Simpkins
Chief Executive
Terry Huggins
Director of Customer Services
Bob Atkins
Director of Corporate Services

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H14/0581/02 Received: 15-MAY-02 Type: FULL

Name: T K Mills
Dovehirn House
Beck Bank
West Pinchbeck
Spalding Lincs PE11 3QN

Agent: Poddingtons
Rabbit Hollow
Church Lane
North Rauceby
Sleaford Lincs NG34 8QU

Description: Erection of one pair of semi-detached dwellings

Location : Six House Bank West Pinchbeck

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

1 The proposal is contrary to Policy H3 of the First Deposit Draft of the South Holland District Local Plan to 2011 which permits development only on sites with planning permission, which in this case exists only for a single dwelling.
This policy is part of an overall housing strategy within the emerging Local Plan which aims to:
• reduce the over-supply of housing land in the District to be more in line with Policies 9 and 10 of the Lincolnshire Structure Plan to 2011, and;
• be in accordance with the advice within the Government's Planning Policy Guidance Note No. 3 'Housing'.
The proposed development would, if permitted, add unnecessarily to the supply of housing land, contrary to those aims, and would create a precedent for granting other permissions. This would have the cumulative effect of further prejudicing the preparation of the emerging Local Plan and the achievement of those aims.

2 The proposed development represents an over-development of the site which will not be in character with this part of Six House Bank. The proposal is, therefore, contrary to Policy E1 of the South Holland District Local Plan, 1988, and Policy H2A of the Council's Interim Rural Housing Planning Statement which was adopted in May 2001, which both require development to be in character with its locality.

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Priory Road
Spalding
Lincolnshire
PE11 2XE
Telephone: (01775) 761161
Fax: (01775) 711253
Email: Info@sholland.gov.uk

SOUTH HOLLAND DISTRICT COUNCIL

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The determined plans are:
Dwg. No. 3022-001 received 15 May 2002.

Head of Planning & Development
12 AUG 2002

H14/0581/02

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

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Town and Country Planning Act etc

DRAFT REFUSAL

Reference H14/0581/02 Received: 15-MAY-02 Type: FULL

Name: T K Mills
Dovehirn House
Beck Bank
West Pinchbeck
Spalding Lincs PE11 3QN

Agent: Poddingtons
Rabbit Hollow
Church Lane
North Rauceby
Sleaford Lincs NG34 8QU

Description: Erection of one pair of semi-detached dwellings

Location : Six House Bank West Pinchbeck

South Holland District Council hereby give notice that permission has been refused etc for the following reasons:

1 The proposal is contrary to Policy H3 of the First Deposit Draft of the South Holland District Local Plan to 2011 which permits development only on sites with planning permission, which in this case exists only for a single dwelling.
This policy is part of an overall housing strategy within the emerging Local Plan which aims to:
•reduce the over-supply of housing land in the District to be more in line with Policies 9 and 10 of the Lincolnshire Structure Plan to 2011, and;
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Director of Customer Services
09 AUG 2002

H14/0581/02

SALLY WALTHAM
BA (Hons) F.C.I.H.
Director of Housing & Planning Services

Housing and Planning
Services Department,
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Priory Road,
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SOUTH HOLLAND DISTRICT COUNCIL
15 MAY 2002
RECEIVED

SOUTH HOLLAND DISTRICT COUNCIL

HOUSING & PLANNING SERVICES DEPARTMENT
Plan Development
15 MAY 2002
H 0581/02

Town and Country Planning Act 1990

Outline Planning Permission

Reference: H14/1415/00 Received: 05-DEC-00 Type: OUTLINE

Name: P L Adlington
32 The Reservoir
Surfleet Seas End
Spalding
Lincs PE11 4DJ

Agent: P L Adlington
32 The Reservoir
Surfleet Seas End
Spalding
Lincs PE11 4DJ

Description: Erection of dwelling

Location : Six House Bank West Pinchbeck
Spalding Lincs

South Holland District Council hereby give notice that OUTLINE PLANNING PERMISSION HAS BEEN GRANTED for the development in accordance with the application submitted, subject to the following:

1 Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun not later than whichever is the later of the following dates:
(a) the expiration of five years from the date of this permission,
(b) the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990.

2 The following matters are reserved for subsequent written approval by the Local Planning Authority, and no development to which they relate shall be carried out until these matters have been approved, viz:
(1) Detailed drawings to a scale of not less than 1/100 showing the siting, design and external appearance of the buildings, including particulars of the materials to be used for external walls and roofs;
(2) The siting and design of any vehicular access to a road;
(3) Landscaping of the site, including details of positions, heights on planting and species of trees and shrubs.

Reason: The application was submitted in outline only.

3 The approved scheme of landscaping and/or screening shall be carried out in its entirety within a

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HOUSING & PLANNING SERVICES DEPARTMENT

period of two years beginning with the date on which development of the land is commenced. The trees, shrubs or bushes shall be adequately maintained by the owner(s) of the land on which they are situated for a period of ten years beginning with the date of completion of the scheme, and all losses shall be made good during that period.

Reason: In the interests of visual amenity and to ensure that the approved scheme is implemented satisfactorily.

4 A fence 2 metres high, details of which shall be submitted to and approved in writing by the Local Planning Authority, shall be erected along the northern boundary of the site before the building hereby permitted is brought into use.

Reason: In the interests of the amenities of the area.

5 The vehicular access shall be formed at the southern end of the site's frontage to Six House Bank.

Reason: So as to afford the maximum visibility distances for drivers emerging from the site.

6 Before the access is commenced to be used, provision shall be made within the site to the satisfaction of the Local Planning Authority for a motor vehicle to turn to enable it to enter and leave the highway in forward gear.

Reason: To enable vehicles to enter and leave the highway in forward gear in the interests of road safety.

The determined plans are:-
1:2500 site location plan received 5 December 2000.

The permitted development will require the provision of a new vehicular access crossing. Applicants are requested to contact the Local Highway Authority's Divisional Office at Pode Hole - (Tel: 01775 769091) prior to the commencement of any works within the public highway.

Owing to poor drainage in this area a package treatment plant is suggested.

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SOUTH HOLLAND DISTRICT COUNCIL
HOUSING & PLANNING SERVICES DEPARTMENT

S A Waltham

Director of Housing and Planning Services
17 JAN 2001

H14/1415/00

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

RIGHTS OF APPEAL etc.

Applications for Planning Permission

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 to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ (Tel: 0117 987 8000).

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 Authority based its decision on a direction given by him.

Purchase Notices

If either the Local PlanningAuthority or the Secretary of State for the Environment 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 developments 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 Part VI of the Town and Country Planning 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 circumstance are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

Applications for Listed Building and Conservation Area Consents

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent or Conservation Area Consent for the proposed works or to grant consent subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate at Tollgate House, Houlton Street, Bristol, BS2 9DJ (Tel: 0117 987 8000). The Secretary of State has powers to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

If Listed Building Consent or Conservation Area Consent is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any works which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

Applications for Consent to Display Advertisements

The applicant can, if he so desires, at any time within a period of six months before the expiry of the term for which consent is given, make application for renewal of the consent.

Except where the Local Planning Authority impose a condition to the contrary, or where renewal is applied for but refused, the advertisements may continue to be displayed at the expiry of the term for which consent is granted, subject to the right of the Local Planning Authority to serve a notice under the Regulations requiring applications to be made for express consent for the continuation of the display.

Where, on application being made for consent under the Regulations, consent is refused by the Local Planning Authority or is granted by them subject to conditions (other than the standard conditions) the applicant may appeal to the Secretary of State for the Environment. If consent is granted for a period of less than five years then (unless the application required such consent) the limitation is deemed to be a condition against which an appeal can be made.
Provided that the Secretary of State shall not be required to entertain an appeal if it appears to him, having regard to the provisions of the Regulations, that consent for the display of advertisements in respect of which the application was made could not have been granted by the Local Planning Authority, or could not have been granted otherwise than subject to the conditions imposed by them.

Any person who desires to appeal shall give notice of appeal in writing to the Secretary of State within 8 weeks from the receipt of notification of the Local Planning Authority's decision or such longer period as he may allow. Forms of appeal can be obtained from The Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ (Tel: 0117 987 8000)