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TOWN AND COUNTRY PLANNING ACT 1990 FULL

Reference: H14-0781-23 **Date of Decision:** 12th December 2023
Applicant: Mr S Wright
Oakland Homes
Red House Farm
Tumby Lane
Boston
PE22 7TD
Location: Bridge House Northgate Pinchbeck Spalding
Description: Proposed Replacement Dwelling

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

- 1 The proposal would result in a disproportionate amount of additional form that would give rise to character and amenity impacts. The development if approved would result in a substantially larger dwelling to the material detriment of the site and surrounding area. Furthermore the applicant has failed to provide any justification why such an increase in massing in comparison to the existing dwelling is appropriate. The proposal which is not of high quality design, nor considered to be exceptional or innovative, is considered unacceptable. This unjustified amount of form proposed fails to recognise the intrinsic beauty of this part of the open countryside and would give rise to character and amenity impacts on neighbouring properties, including the Grade II Listed Glen House. The proposal is contrary to the aims of Policies 1, 2, 3, 22 and 29 of the South East Lincolnshire Local Plan 2019, as well as Sections 12 and 16 of the National Planning Policy Framework 2023.
- 2 Bridge House is considered to constitute a non-designated heritage asset. The proposal is considered to represent an unattractive, incongruous overdevelopment of a sensitive site within relatively close proximity to a prominent listed building. When assessed against local and national policy there is not considered to be a material reason to justify demolition of Bridge House. The replacement dwelling is overly large and is considered to

detract from the character of area and the Grade II Listed Glen House to the north-east of the site. Therefore, the proposal is contrary to the aims of Policies 1, 2, 3, 22 and 29 of the South East Lincolnshire Local Plan 2019, as well as Sections 12 and 16 of the National Planning Policy Framework 2023.

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. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reasons 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>

The determined plans are:

Application Form

23-2601-01

23-2601-02 Rev A

23-2601-03

23-2601-LP

Flood Risk Assessment (Prepared by S M Hemmings - 8th August 2023)

Heritage Impact Assessment and Planning Statement (Prepared by Clive Wicks Associates - October 2023)

Visual Structural Inspection and Report - Project No. 9116 (Prepared by Steve Gilman Design Ltd - 16th October 2023)

Ecology and Protected Species Survey (Prepared by HS Ecology - 26th September 2023)

Front Elevation - Visual

Side Elevation - Visual



Phil Norman
Head of Planning
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://www.gov.uk/planning-inspectorate>. 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.