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CHARTERED SURVEYORS

PLANNING STATEMENT

On behalf of

Miss C. Cragg and Mrs K. M. Thomas

In respect of a Planning Application for

Bridge Lodge
South Drove
Spalding Common
Spalding
LINCOLNSHIRE
PE11 3ED

For removal of the Agricultural Habitation Clause, being Condition No. 3 of Outline Planning Permission H16/0699/74 dated 29th January 1975.

Prepared by:

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1. INTRODUCTION

Outline Planning Permission was granted to Mr C. Hales for a detached bungalow with a garage at South Drove, Spalding Common, Spalding, subject to conditions, one of which (Condition No. 3) reflected the normal wording for an Agricultural Habitation restriction. This was in place of an existing dwelling which was not subject to any restriction upon occupation.

Ref No. H16/0699/74
Date 29th January 1975
Copy of original consent.

The specific Agricultural Habitation Clause wording under Condition No. 3 of the Planning Consent states that ***'The occupation of the dwelling shall be limited to a person solely or mainly employed in the locality in agriculture as defined in section 290(1) of the Town and Country Planning Act 1971 or in forestry (including any dependants of such a person residing with him), or a widow or widower of such a person".***

2. THE PRESENT SITUATION:

The previous owner/occupier who was employed in agriculture died on the 5th December 2022, now providing vacant possession of the property.

3. PLANNING POLICY:

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (Adopted March 2019) states that the Sub-Regional Centres of Boston and Spalding are clearly the largest urban areas and centres for services for the Local Plan area and beyond. They need to continue to accommodate the level of services and economic opportunities for the benefit of communities over a widespread area.

4. THE CASE

The property is within the Spalding and Pinchbeck Settlement Boundary as defined within the South East Lincolnshire Local Plan (SELLP), Adopted March 2019. There has therefore been a change of circumstance since Planning Consent was granted for an agricultural dwelling in 1974, in the sense that the site is no longer in open countryside, but rather inside South East Lincolnshire's Local Plan for Spalding and Pinchbeck (see Policies Map Inset map No 2 Settlement boundary attached). Any application for residential development in the present day would comply with Policy 1 of the SELLP on grounds of infill within Spalding and Pinchbeck's settlement boundary.

Consequently, an agricultural restriction can no longer be justified, since its essential purpose is to restrict development in the open countryside, to that related to agriculture or similar.

5. CONCLUSION

The planning condition can no longer be justified. We respectfully therefore ask that Condition 3 be removed and that the property can be occupied in the future on an unrestricted basis.

Signed: _____

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Dated this 5th February 2024

Ref: CRML/Cragg/2024

LIST OF APPENDICES

1.	APPENDIX A:	Original Outline Planning Permission plan showing the application site edged red
2.	APPENDIX B:	Copy of the original Outline Planning Permission H16/0699/74 dated 29th January 1975
3.	APPENDIX C:	SELLP Policies Map Inset Map No 2 – Spalding and Pinchbeck highlighting the location of the subject property and an enlarged version

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