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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference:	H16-0862-24	**Date of Decision:**	22nd November 2024
Applicant:	D Scase 20 Cley Hall Drive Spalding Lincolnshire PE11 2EB		
Location:	20 Cley Hall Drive Spalding		
Description:	Rear, side and garage extension to domestic property		

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

1 It is considered that the proposed front extension would constitute an incongruous and harmful form of development, significantly at odds with the established built form of the area. Within the Cley Hall Drive area, no comparable forms of development exist, resulting in this extension appearing as a visual anomaly. The harmful impacts created by this are exacerbated by the significant scale of the garage and its positioning, which results in an unduly dominant development. The proposal is therefore considered contrary to the provisions of the National Design Guide.

In addition to this lack of integration with the wider area, the design is poorly integrated into the host dwelling itself, creating a discordant roof line which fails to respect the existing design of the property. Accordingly, the proposal is considered to conflict with Paragraph 3.3.3 of the South East Lincolnshire Local Plan, 2019, as well as Policies 2 and 3, which requires extensions to be "designed to respect and relate to the original building and integrates sensitively with the character and appearance of the surrounding area".

The proposal is therefore considered to be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019, in design terms, as well as Section 12 of the National Planning Policy Framework, December 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 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

The determined plans are:

Application Form
BA/2024/CHD/101
BA/2024/CHD/110 Rev A
BA/2024/CHD/102
BA/2024/CHD/103
BA/2024/CHD/104
BA/2024/CHD/105
BA/2024/CHD/106
BA/2024/CHD/107
BA/2024/CHD/108
BA/2024/CHD/109
Design and Impact Statement BA/2024/CHD/101-110, prepared by Mead Planning and Design



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://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.