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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference:	H16-1089-25	**Date of Decision:**	20th April 2026
Applicant:	Gramaro Properties Ltd 6 South Street Crowland Peterborough PE6 0AJ		
Location:	Bridge Farm Holbeach Road Spalding		
Description:	Proposed conversion of existing barns to office use and the development of a padel club on adjacent land		

South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been REFUSED (or equivalent) for the development referred to above, for the following reason(s):

1 The application site is located outside of any settlement boundary outlined within the South East Lincolnshire Local Plan (2019) and as such is considered to comprise a countryside location. Policy 1 of the South East Lincolnshire Local Plan (2019) states that development in the Countryside will only be "permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits".

With regards to the development proposed, it has not been demonstrated that the proposal necessitates a Countryside location, in accordance with the requirements set out within the South East Lincolnshire Local Plan (2019), nor that it would suitably meet the development needs of the area in respect of the three criteria listed in Policy 1 of the South East Lincolnshire Local Plan (2019).

Furthermore, Paragraph 91 of the National Planning Policy Framework, December 2024, states that Local Planning Authorities should apply a sequential test to planning

applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. Likewise, Policy 24 of the South East Lincolnshire Local Plan (2019) directs retail and other main town centre uses to be located in accordance with stated hierarchy of which the Sub-Regional Centres of Boston and Spalding (as defined by the Town Centre Boundaries) are the locational focus.

The proposal fails to adequately demonstrate that the proposed uses, in this application, cannot be accommodated in more appropriate town centre, edge of centre or in settlement locations, which are more sustainable locations for such uses. The absence of an adequately acceptable sequential test, whereby the submission fails to adequately demonstrate the suitability of the site, means that the proposal has not been justified in locational terms, and as such the proposal is situated within an unsustainable location, that is not considered to be sequentially preferable.

Policy 7 of the South East Lincolnshire Local Plan, 2019, requires proposals located outside of identified employment areas to conform to seven criteria, in order to be acceptable in principle. The proposal is considered to be contrary to the provisions of criteria b, f, and g of Policy 7.

Moreover, under the provisions of Policy 32 of the South East Lincolnshire Local Plan (2019) proposals for new community facilities should be located close to the community they will serve and should be readily accessible by sustainable means of transport. The proposal is considered to fail to achieve both aims, and is therefore contrary to Policy 32.

Given the location of the site, the lack of a clear functional necessity for the development to be located on the site, the lack of an adequately acceptable sequential test, and the conflict with the Plan's employment strategy, the proposed development comprises unwarranted and unsustainable development in the countryside. As such, the proposal is at conflict with the spatial strategy outlined in Policy 1, and is contrary to policies 7, 24, and 32 of the South East Lincolnshire Local Plan (2019) and Section 7 of the National Planning Policy Framework (December 2024).

2 The site lies within Flood Zone 3 of the Environment Agency's Flood Maps for Planning and within the Danger for All classification of the Strategic Flood Risk Assessment, with flood depths expected to reach up to 1m. As the site is located outside of any settlement boundary, a District wide approach to the sequential test is required in accordance with the Strategic Flood Risk Assessment.

Notwithstanding the matter of a town centre use sequential test, and further to the reason for refusal set out under reason 1 of this decision, a sequential test demonstrating that there are no reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding has not been provided, nor has the specific need for this development to occur on this site been adequately demonstrated. Therefore, it cannot be said that the site is sequentially preferable in flood risk terms, given that there are sites within the District wholly within Flood Zones 1 and 2.

In any event, the proposal has not demonstrated that it would be safe for its lifetime, in

line with the requirements of Policy 4 of the Local Plan and Section 14 of the Framework. Therefore, even if the proposal was sequentially preferable, which is not considered to be the case in this instance, the site would fail the exceptions test.

As such, the proposal is considered to fail the sequential test, and is therefore contrary to the Provisions of Section 14 of the National Planning Policy Framework (December 2024), as well as Policy 4 of the South East Lincolnshire Local Plan, 2019.

3 The proposal represents unwarranted expansion of urban form into a rural area. The additional Padel courts, which would be a conventionally urban/peri-urban feature, would juxtapose the rural landscape, and weaken the existing character of the area.

To this end, the proposal fails to reflect the principles of good design outlined in the National Design Guide, and by reason of its location, size, scale, and design the development proposed would materially harm the character and appearance of the locality. As such, the proposal is considered to be contrary to Policies 2, 3 and 32 of the South East Lincolnshire Local Plan, 2019, and Section 12 and 15 of the National Planning Policy Framework, December 2024.

4 The submitted documentation outlines that there is a high likelihood of protected species on the site. Further surveys were recommended as part of the submitted Preliminary Ecological Appraisal; however, these have not taken place. It has therefore not been evidenced that there would be no harm to protected species as a result of the proposed works.

Regulation 9 of the Conservation of Habitats and Species Regulations places a duty on Local Authorities to exercise their functions to ensure the protection of wildlife and their habitat. The Wildlife and Countryside Act 1981 must also be considered in this regard.

From the information provided, it has not been demonstrated that the proposal would not have an unacceptable impact upon protected species. The proposal would therefore be contrary to Policy 28 of the South East Lincolnshire Local Plan, 2019, Section 15 of the National Planning Policy Framework (December 2024), the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations.

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. Furthermore, matters of concern with the application have been identified and discussed with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory solution and due to the harm, which has been clearly identified within the reason(s) for the refusal, 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:

-25171-PL001 - Existing Site Location Plan
-25171-PL005 - Existing Site Plan Inc. Levels
-25171-PL015F - Proposed Site Plan including Fencing Elevations
-25171-PL011A - Demolition Floor Plan & Elevations
-25171-PL010 - Demolition Site Plan Inc Levels
-25171-PL017A - Proposed Floor Plan & Elevations (Leisure)
-25171-PL016 - Proposed Floor Plan & Elevations (Offices)
-25171-PL018 - Proposed Padel Courts (Floor Plans & Elevations (Leisure)
-25171-PL020 - Proposed Floor Plans & Elevations (Staff Wellness Shed)
-Existing & Proposed Building List Schedule
-SW25-346-005 Rev C - Proposed Drainage Strategy & Flood Exceedance Arrangement
-SW25-346-006 Rev C - Proposed Basin & Dyke Drainage Sections & Details
-SW25-346-015 Rev B - Proposed Bridge Culvert Arrangement
-SW25-346-021 Rev A - Proposed Highway Works Arrangement
-SW25-346-022 Rev A - Proposed Highways Visibility Splay Arrangement
-SW25-346-031 Rev A - Proposed Vehicle Tracking Arrangement - Fire Appliance
-SW25-346-032 Rev A - Proposed Vehicle Tracking Arrangement - Refuse Vehicle
-SW25-346-REP-01A - Surface & Foul Water Drainage Strategy
-Design and Access Statement, produced by J Knight Design, dated 16/10/25
-Supporting Statements, produced by J Knight Design and 77 Leisure, dated 27/10/25
-Screening Assessment
-Flood Risk Assessment, produced by RM Associates
- Asbestos Management Survey Report, produced by Stone Asbestos Ltd, dated 12/03/24
-Additional Supporting Statement for Planning Approval, produced by 77 Leisure
-Sequential Test, produced by J Knight Design, dated 16/12/25
-Proposed Lighting Installation, produced by LEW Lighting Solutions, dated 09/03/26
-Biodiversity Net Gain Assessment, produced by Arbtech, dated 04/11/25
-BNG Metric Calculation Tool
-Preliminary Ecological Appraisal & Roost Assessment, produced by Arbtech, dated 08/10/25
-Noise Impact Assessment, dated 28 March 2026



Phil Norman
Assistant Director - Planning and Strategic Infrastructure
South Holland District Council

DC_FINAL_DECISION - ODB:14

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://appeal-planning-decision.service.gov.uk/before-you-start**. 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.