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## TOWN AND COUNTRY PLANNING ACT 1990 OUTLINE

**Reference:** H17-0980-24 **Date of Decision:** 5th March 2025

**Applicant:** Mrs J Pola  
C/O R Longstaff & Co LLP  
5 New Road  
Spalding  
Lincolnshire  
PE11 1BS

**Location:** The Old Chapel 82 Seas End Road Surfleet Spalding

**Description:** Residential Development - Single Dwelling - including demolition of `Old Chapel` 0.039Ha and change of use of part Agricultural field to Site for Biodiversity Measures. 0.045Ha

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

- 1 The application proposes the demolition of The Wesleyan Methodist Chapel, a non-designated heritage asset, recorded in the Historic Environment Record under Building Record MLI97740. The demolition of this building would result in the erosion of the area's historic environment and sense of place, which directly conflicts with the National Planning Policy Framework (December 2024) aim of preserving buildings of local interest. The complete demolition of the chapel would constitute substantial harm, which is not justified by this application in a manner which the Local Planning Authority consider to be satisfactory.

The proposed development seeks to deliver a new family home, which is a recognised benefit. However, being weighed against the total loss of a historic building that contributes to the area's historic identity and sense of place, the former chapel serves as a local landmark, and its demolition would result in a net loss of heritage value for the community, as such, the planning balance is not in favour of the development. It, therefore, represents a form of harm to the historic environment via the total loss of a non-

designated heritage asset.

As such, the loss of the non-designated heritage asset, as detailed above, would result in unacceptable harm to the character and appearance of the area. The harm caused by the proposal would not be outweighed by any overriding material considerations or public benefits and, as such, the application proposals are contrary to Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2019), and Section 12 and 16 of the National Planning Policy Framework (December 2024).

Notes:

The determined plans are:

2404-02-A - Proposed Site Plan and Site Section B - B

2404-01 - Location Plan and Existing Site Plan

Heritage Impact Assessment by Jonathan Biggadike dated January 2025

Addendum to Heritage Impact Assessment by Jonathan Biggadike dated 28th January 2025

Design & Access Statement by Cooper Architectural Design, ref: 2404

Flood Risk Assessment by S M Hemmings dated 22nd July 2024

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>



**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](mailto: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.