Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764723
DC Officers 01775 764703
facsimile 01775 762937
planningadvice@sholland.gov.uk
www.sholland.gov.uk

G R Merchant Ltd
Unit 4 Wrights Mews
12a Park Road
Holbeach
Spalding
PE12 7EE

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H18-0191-20 **Date of Decision:** 24th April 2020

Applicant: Mr J Hook
The Anchor Inn
280 Bridge Road
Sutton Bridge
Spalding Lincs
PE12 9SH

Location: Adj. 236 Bridge Road Sutton Bridge Spalding Lincs

Description: Residential development comprising 3 units

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, by virtue of its position, scale, height and massing, would constitute an inappropriate and incongruous form of development that would have an unsatisfactory relationship with no. 236 Bridge Road and also harm the character and appearance of the street scene. This would be accentuated by the fact that finished floor levels would need to be raised by 1 metre to address flood risk.

Also, the proposal would constitute a form of overdevelopment with unsatisfactory private amenity space and parking facilities for future occupiers of the properties and occupiers of No. 236 Bridge Road. Moreover, the general level of activity upon the site, including the regular coming and going of vehicles, would be such that the amenity of neighbouring properties and no. 236 in particular would be materially harmed in terms of noise and general disturbance.

The proposal is therefore in conflict with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019. Policies 2 and 3 indicate that new development should have a satisfactory relationship to existing development and respect the

character/appearance of the area. It should also be of high quality in terms of design and layout and have a satisfactory impact upon existing and future residents/occupiers. Policy 36 (in conjunction with Appendix 6) sets out minimum parking standards for new development. These policies are in accordance with advice within the National Planning Policy Framework, 2019. For example, paragraph 127 indicates that planning policies and decisions should ensure that new development should add to and be sympathetic to the local area and have a high standard of amenity for existing and future users.

2 In the opinion of the Local Planning Authority the proposal fails the flood risk exceptions test because it would not provide wider sustainability benefits that would outweigh flood risk due to the social and environmental harm that it would cause in terms of its effect upon the character/appearance of the area and also residential amenity. The proposal is not therefore in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, 2019.

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:
3610-19-01;
3610-19-02;
Flood Risk Assessment by Ellingham Consulting Ltd (ref. ECL0176/G R Merchant Ltd) dated January 2020.



Phil Norman
Planning and Building Control Manager
South Holland District Council

BUILDING REGULATIONS:
This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

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		

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.