

Status Design
Westfield Lodge
Low Lane
Holbeach
Spalding
PE12 7PW

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H18-0979-24 **Date of Decision:** 29th May 2025
Applicant: Mrs M Stone
8-9 Grange Farm
Hospital Road
Sutton Bridge
Spalding
PE12 9YR
Location: Adj 8-9 Grange Farm Hospital Road Sutton Bridge Spalding
Description: Proposed conversion, extension and change of use of barn to kennels

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 Policy 1 of the South East Lincolnshire Local Plan (SELLP, 2019) states that development within the countryside is limited to that where it "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". In this instance, the support towards the 'sustainability needs for the area' afforded by the proposal have not been put forward, with no evidence of such being demonstrated within the submission, and in any event, in this instance, they are not considered to be sufficient as to accord with Policy 1 in any event, when viewed in isolation.

In context of this, the proposal to provide a business incorporating dog boarding and day care within this location, would not typically be considered necessary, nor appropriate. As such, the proposal does not strictly accord with the requirements of Policy 1 of the South East Lincolnshire Local Plan (2019) when viewed in principle.

Policy 7 of the South East Lincolnshire Local Plan (2019) relates to 'Improving South East Lincolnshire's Employment Land Portfolio'. This Policy details that: *"New employment development/businesses or the extension of an existing business outside the above allocated employment sites will be supported provided that the proposal involves the re-use of previously developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously developed land is not available or is unsuitable, proposals on non-allocated sites may be acceptable provided:"*

In this instance, the proposal is for the conversion of an existing built form for its use as a business; however, the built form to be converted lies within an open countryside location. Within the 'Reasoned Justification' for Policy 7, paragraph 4.2.10 details that *"National planning policy supports the conversion of existing buildings and well-designed new buildings in the Countryside for economic development. Therefore, the provision and expansion of Other Employment Sites, including those in the Countryside, will be supported where it can be demonstrated to be sustainable and consistent with the requirements of Policy 7. However, the desire to promote rural employment must be balanced with the need to protect the existing character of the Countryside"*. Paragraph 4.2.11 also details that *"Policy 7 aims to ensure that growth happens in the right places (both from the market's perspective and to meet sustainability objectives) and will ensure that resources can be focused on delivering a small number of quality, attractive business locations. Together with other policies in this Local Plan, this approach helps ensure that the right infrastructure and conditions can be delivered to give businesses the confidence to invest in the area."*

The proposal in this instance, albeit comprising the re-use and conversion of an existing barn, would result in a dog care and boarding business within an open countryside location. The site would not be readily accessible from other modes of transport beyond dependency of a private motor vehicle and as such, is evidently an unsuitable form of development for the context of the site, given the extensive vehicular movements identified within the submission, this being up to 20 movements per day. The proposal does not lie adjacent a settlement as required by para 89 of the National Planning Policy Framework (December 2024), and in respect of alternative, outside settlement locations, the proposal fails to be "sensitive to its surroundings" or offer "opportunities to make a location more sustainable".

As such, the proposal seeks permission for the re-use of an existing building, to form a dog care and boarding business within an unsuitable countryside location. The proposal would be at direct conflict with Policy 1 and 7 of the South East Lincolnshire Local Plan (2019), and would fail to accord with the provisions of Section 6 of the National Planning Policy Framework (December 2024). It is therefore considered that the proposal would not be acceptable in principle and should be refused for this reason.

- 2 Policy 2 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) states that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses. Policy 3 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) states that development proposals will demonstrate how an acceptable design of development including residential amenity will

be secured. Policy 30 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) states that development proposals will not be permitted where they would lead to unacceptable adverse impacts on the amenities of the area.

The extension in terms of design, scale and its overall nature would result in a harmful impact to the character of the area. Due to the existing use of the barn, the current layout, design and appearance, which in part is formed through the 'u-shape' layout and style, is in keeping with the rural agricultural context of the area that it is located within.

The extension would remove this design feature, altering the natural form, layout and context; this coupled with the proposed change of use, would substantially erode this sense of agricultural character, changing the overall context, feel and design. Furthermore, the poor quality design fails to enhance or improve the area/existing barn and if approved, would appear harmful and out of character.

As a result of this, by virtue of its design, scale and nature, the extension would appear out of character and incongruous. Likewise, the resultant use would adversely impact the character of the area, introducing a somewhat commercial business that would create further harm to the impact of the character.

The proposal is not considered to be acceptable. The development should therefore be refused, being at conflict with Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP, 2019) and Paragraph 135 of the National Planning Policy Framework (NPPF, December 2024).

- 3 Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions. Paragraph 135 of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy 30 of the South East Lincolnshire Local Plan (2019), relating to 'Pollution' details that "Development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon:...

2. the amenities of the area; or

3. the natural, historic and built environment;

by way of:...

5. noise including vibration..."

Section 15 of the National Planning Policy Framework (December 2024), relating to 'Conserving and enhancing the natural environment', details under paragraph 187 that "Planning policies and decisions should contribute to and enhance the natural and local environment by:

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions..."

It is considered that the proposal, comprising a minimum of 17 dogs (but likely to be notably in excess of this number), would result in an unacceptable noise disturbance, and harm to the residential amenities of neighbouring occupiers.

It is considered that the resultant change of use, due to the high amount of dogs, people travelling to and from the site, proximity to residential properties, the extensive hours of operation and the lack of detail and infrastructure to limit the noise impacts, would give rise to an unacceptable adverse impact upon the residential amenities of neighbouring occupiers. Furthermore, this resultant use and impact would be at odds with the more tranquil character of such a countryside setting.

As such, the proposal is considered to be at conflict with the provisions of Section 12 and 15 of the National Planning Policy Framework (December 2024), and Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).

Notes:

The determined plans are:

Location Plan

SD24-034/1 - Existing Floor Plan

SD24-034/2 Rev A - Proposed Floor Plan

SD24-034/3 - Site Plan

SD24-034/4 Rev A - Proposed Elevations

SD24-034/5 - Existing Elevations

Supporting Statement

ECL1445/STATUS DESIGN - Flood Risk Assessment - January 2025

Preliminary Ecological Appraisal and Roost Assessment - 30th January 2025

BNG Metric Calculation Tool

Biodiversity Net Gain Assessment - Final 1.0

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>



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.