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## TOWN AND COUNTRY PLANNING ACT 1990 FULL

**Reference:** H18-1076-24 **Date of Decision:** 13th June 2025  
**Applicant:** S E King Building Contractors Ltd  
Orchard House  
107 New Road  
Sutton Bridge  
Spalding  
PE12 9QA  
**Location:** Maze Farm Hospital Drove Long Sutton Spalding  
**Description:** Demolition of existing barn & erection of one dwelling

**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 proposal by virtue of its siting, form and general appearance would fail to recognise the intrinsic beauty of this part of the open countryside, giving rise to both localised and wider character harm. The development is considered to be of very limited architectural merit which fails to reflect and would be at odds with the countryside context of the site. If approved it would have an urbanising effect upon the area, in so representing an incongruous feature, that does not contextually relate to its environment, or the rural character of the application site and wider surrounding countryside. On this basis then the proposal is not considered to represent betterment, over what has already been approved on this site and the proposal is considered to be contrary to the aims of policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 as well as Paragraph 187b of the National Planning Policy Framework, December 2024.
- 2 The proposal would not result in wider substantiality benefits to the community that would outweigh the risk from flooding. The proposal is therefore contrary to the aims of Policy 4

of the South East Lincolnshire Local Plan, 2019 as well as Paragraph 178a National Planning Policy Framework, December 2024.

Notes:

The determined plans are:

4159-23 11A - Location Plan & Existing & Proposed Site Plans

4159-23 10B - Proposed Elevations & Floor Plans

TE/LB/2025\_778 - Ecological Impact Assessment Report

4159-23 - Design & Access Statement

December 2024 Flood Risk Assessment

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](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.