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TOWN AND COUNTRY PLANNING ACT 1990 FULL

Reference: H20-1148-25 **Date of Decision:** 23rd January 2026

Applicant: Mitch-tech Group Limited
Lynn House
Mill Lane
Sutton St James
Spalding
PE12 0EJ

Location: Lynn House Mill Lane Sutton St James Spalding

Description: Erection of an oak framed double garage and a single storey gym / training building. Demolition of existing outbuilding structures to replace with two single storey, storage units for business use and the repurposing of the existing barn structure to create a dedicated workshop building for business use - Retrospective

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 proposed domestic gym is considered to extend the domestic curtilage of the dwellinghouse into land designated as Countryside within Policy 1 of the South East Lincolnshire Local Plan, 2019. Policy 1 states that development in the Countryside will only be permitted 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 benefit".

It is not considered that the proposed extension of the domestic curtilage would result in any benefits to the wider area, or that it would be necessary for the purposes of Policy 1.

As such, the proposed gym building is considered to represent unsuitable development in

the Countryside, and would therefore be contrary to Policy 1 of the South East Lincolnshire Local Plan, 2019.

- 2 The proposed creation of a business would result in development located outside of any of the settlement boundaries or employment sites defined within Policy 1 and 7 of the South East Lincolnshire Local Plan, 2019. As such, the proposal site is considered to be within the Countryside for the purposes of the Local Plan. Policy 1 of the South East Lincolnshire Local Plan, 2019 states that development in the Countryside will only be permitted 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 benefit". Likewise, Policy 7 restricts the development of new employment sites, outside of those allocated in the Local Plan.

The proposed business use fails to satisfactorily demonstrate sufficient need for development on the site, or a countryside location more generally, or that it would meet the sustainable development needs of the area. In addition, it is not considered that the provisions of Policy 7 have been met with respect to development outside of allocated employment sites.

As such, the proposal site is considered to be in an unsustainable location, which fails to accord to the provisions of Policies 1 and 7 South East Lincolnshire Local Plan, 2019.

- 3 The application site is located as to comprise a significant distance between the nearest settlement and the site; this, coupled with the fact that no footpath is available to the site, would reduce the ability for users of the site to access it via sustainable methods of transport. Accordingly, workers and customers would be over reliant on private vehicles to access the site, thus conflicting with the provisions of Policies 2, 3, 7 and 33 of the South East Lincolnshire Local Plan, 2019, which all require sites to demonstrate flexible and sustainable access options.
- 4 The proposal, taken as a whole, is considered to represent an urbanising feature, which detracts from the existing rural character of the area. The density of buildings and their underpinning design approach would be more reminiscent of development in an urban setting, thereby conflicting with the established rural character of the area, whilst also diminishing the existing openness of the area. This urbanisation and cluttering factor is exacerbated by the proposed boundary wall and increased domestic curtilage proposed, which would break the existing open expanse of the rural area.

As such, the proposal is considered contrary to the provisions of Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2024.

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:

- 1752 - P - 101 Rev 4.0 - Ordnance Survey Site Location Plan
- 1752 - P - 102 Rev 3.0 - Existing Site Layout (Development Site)
- 1752 - P - 103 Rev 3.0 - Proposed Site Layout
- 1752 - P - 104 Rev 2.0 - Garage - Layout, Roof Plan & Elevations
- 1752 - P - 105 Rev 2.0 - Gym Building - Layout and Roof Plan
- 1752 - P - 106 Rev 2.0 - Gym Building - Proposed Elevations
- 1752 - P - 107 Rev 2.0 - Workshop - Layout and Roof Plan
- 1752 - P - 108 Rev 2.0 - Workshop - Proposed Elevations
- 1752 - P - 109 Rev 2.0 - Storage Unit A - Layout and Roof Plan
- 1752 - P - 110 Rev 2.0 - Storage Unit A - Proposed Elevations
- 1752 - P - 111 Rev 2.0 - Storage Unit B - Layout and Roof Plan
- 1752 - P - 112 Rev 2.0 - Storage Unit B - Proposed Elevations
- 1752 - P - 113 Rev 2.0 - Proposed Boundary Wall Details
- Design and Access Statement, dated November 2025, produced by Paul Roberts Design
- Flood Risk Assessment, dated November 2025, produced by Paul Roberts Design



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.