SOUTH HOLLAND DISTRICT COUNCIL

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Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H21-0231-15 **Received:** 20th March 2015 **Type:** FULL

Name: Mr and Mrs E Bell
Edelweiss
Whitecross
Huntsgate
Sutton St James
Spalding Lincs
PE12 0HZ

Agent: G R Merchant Ltd
Unit 4 Wrights Mews
12A Park Road
Holbeach
Spalding
Lincolnshire
PE12 7EE

Description: Replacement dwelling (three-bed bungalow)

Location : Adjacent to Edelweiss Whitecross Huntsgate Sutton St James

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

1 In the opinion of the Local Planning Authority the residential use of the existing building has been abandoned and it does not have a lawful use as a dwelling house. As a consequence, the proposal is not a replacement, but rather a new dwelling in the open countryside. Such development is unacceptable in principle. Saved Policies SG2, SG3, HS6 and HS7 of the South Holland Local Plan, 2006 establish a settlement hierarchy within the district and set out a sustainable sequential approach to the location of new development as it applies to proposals for residential development. This approach is based on a policy of restraint when it comes to new residential development outside of the district's towns, whilst still providing for limited housebuilding within the Group Centres to meet local needs and to support the maintenance of existing services and facilities.

Policy HS7 of the South Holland Local Plan, 2006 permits new housing development outside defined settlement limits providing that it is proven to be essential to meet the needs of agricultural or other rural workers, or the proposal is for small scale, rural exception affordable housing. In this case the proposal does not meet those requirements and therefore is contrary to Policy HS7.

Moreover, the proposal fails to satisfy all criteria outlined within Policy HS17 of the South Holland Local Plan, 2006 relating to replacement dwellings. Criterion 1 states that the original building should not have been abandoned and should be capable of habitation without significant

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structural repair. Criterion 3 indicates that thebuilding should still have a lawful dwelling house use, whilst criterion 7 stipulates that the design of any replacement should reflect the design of traditional, vernacular buildings in the area in terms of scale, character, materials of construction and architectural detailing. The character and appearance of the new bungalow fails to comply with the latter.

The above policies are consistent with advice contained within Paragraphs 7 and 17 and Sections 6 and 7 of the National Planning Policy Framework, 2012.

The Local Planning Authority has acted positively and proactively in determining this application. However, the issues are so fundamental to the proposal that it is not possible to negotiate a satisfactory solution and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

Copies of all documentation submitted in connection with this application can be viewed online at www.sholland.gov.uk/doitonline/plandev/plansearch.aspx

Note(s):

The determined plans are:
Dwg. no. 2727-14-01B;
Flood Risk Assessment (ref GCB/Merchant) dated March 2015.

Paul Jackson
Planning Manager

15th May 2015 **H21-0231-15**

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation.