Mr C Plumb
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TOWN AND COUNTRY PLANNING ACT 1990

OUTLINE

Reference: H22-0020-26 **Date of Decision:** 7th April 2026

Applicant: Mr C Plumb
Bramley House
75 Town Street
Upwell
Wisbech
PE14 9DF

Location: Adj 27 Delgate Avenue Weston Spalding

Description: Residential development for one detached house

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 Notwithstanding that all matters are reserved, it is considered that the proposal represents an incongruous and cramped form of development, due to the small size of the plot and the anticipated siting of the proposed dwelling.

It is considered that the proposed siting of a detached dwelling in amongst a street scene characterised by semi-detached dwellings would be out of keeping with the locality, character and appearance of the area, including the surrounding built environment. This would result in an unacceptable impact on the character and appearance of the area.

Therefore, the proposed development conflicts with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), which seek to ensure that proposals create distinctive places that are in keeping with the area. Furthermore, the proposal conflicts with Paragraph 135 of the National Planning Policy Framework (December 2024), which seeks to maintain and protect the prevailing character and setting of areas (including residential

gardens), together with the importance of securing well-designed, attractive and healthy places. The very limited benefits of the scheme, being the provision of a dwelling, would not outweigh the identified harm and the benefits do not represent sufficient planning gain when weighed in the planning balance.

2 Notwithstanding that all matters are reserved, it is considered that the proposal would result in a cramped layout that would provide insufficient external amenity space. Furthermore, it is considered that the proposal would result in an unacceptable degree of overlooking with 27 Delgate Avenue.

Therefore, the development would not accord with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) which seek to ensure that the design of all development is appropriate to the character and quality of the area. The policies also seek to ensure that proposals demonstrate how they would respect the character and appearance of an area, and the relationship to existing development and land uses. The proposal would also conflict with Paragraph 135 of the National Planning Policy Framework (December 2024), which sets out that planning decisions should create places with a high standard of amenity for existing and future users.

3 The site lies within Flood Zone 3 of the Environment Agency's Flood Maps for Planning. The submitted Flood Risk Assessment has not demonstrated that there are no other sites available at a lower risk of flooding. The Flood Risk Assessment contains no evidence that other sites have been considered and discounted, and it is considered that there are potentially other similar sites that are available.

As such, the proposed development has not passed the Sequential Test as required by Policy 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework (December 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:

BNG Metric Tool
20th January 2026 - Small Sites BNG Statement
CP1509 - D2 - BNG Existing Onsite Habitat
CP1509-C4 - Location Plan
CP1509-B4 - Proposed Building Plot
CP1509-A3 - Existing Building Plot

11th January 2026 - Flood Risk Assessment
11th January 2026 - Design and Access Statement
Application Form



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://appeal-planning-decision.service.gov.uk/before-you-start**. 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.