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Persimmon Homes
Persimmon House
19 Commerce Road
Lynch Wood
Peterborough
PE2 6LR

TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H22-1135-20 **Date of Decision:** 10th September 2021

Applicant: Persimmon Homes
Persimmon House
19 Commerce Road
Lynch Wood
Peterborough
PE2 6LR

Location: Land To The North West Of High Road Weston Spalding

Description: Residential development for the erection of 150 dwellings and associated open space and infrastructure

South Holland District Council hereby give notice that this application has been REFUSED for the above proposal for the following reason(s):

1 The design of the proposal, by virtue of visual amenity concerns arising from the number of private drives and bin collection points included in the layout, is considered to be inappropriate to the local area and fails to maximise opportunities for improving the character and quality of the area and therefore does not accord with Policy 3 of the South East Lincolnshire Local Plan (2019), which amongst other things states design which is inappropriate to the local area will not be acceptable and paragraph 134 of the National Planning Policy Framework, 2021, which states development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design contained in the National Design Guide and National Model Design Code.

Notes:

The determined plans are:

Site Location Plan
SPAL/WEST/PPL/100 Rev M
9420-L-01 Rev B
9420-L-02 Rev C
9420-L-03 Rev C
9420-L-04 Rev B
9420-L-05 Rev B
9420-L-06 Rev B
WE/CP/01 Rev H
Q6906_B Buffer Zone Plan
Q6906_B LEAP Proposal
Financial Viability Report (incl. appendices) (prepared by Atlas Development Solutions, dated 20th January 2021)
DY-WD16-01
AM-WD16-01
WL-WD06-01
WL-WDC06-01
KL-WD16-01
HL-WD16-03
RN-WD16-03
EN-WD16-03
DM-WD16-01
SW-WD16-01
SW-WDC06-01
CW-WDC16-01
SN-WD16-01
BH-WD16-01
GW-WD16-01
MS-WD16-01
2064 2/1
2064 2/2
G336-PD-01
G653-PD-01
1003-278-04 Rev D
E21136/100 Rev P2
TR1
Photograph of sub station
SPAL/WEST/CMP/100
Weston Construction Traffic Route map
Construction Method Statement (prepared by Persimmon Homes, dated April 2021)
Design and Access Statement (prepared by Persimmon Homes, dated December 2020)
Ecological Appraisal (prepared by FPCR Environment and Design Ltd, dated 7th April 2020)
Phase 1 Desk Study (prepared by RSK Environment Limited, dated 20th November 2019)
Phase 2 Geo-environmental and Geotechnical Site Investigation (prepared by RSK Environment Limited, dated 1st April 2020)
Education Report (prepared by EFM, dated November 2020)
Transport Assessment (prepared by Bancroft Consulting, revised October 2020)
Housing Statement (prepared by Persimmon Homes, dated December 2020)

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Noise Impact Assessment (prepared by Spectrum Acoustic Consultants, Rev 2, dated 30th November 2020)
Management of Open Space and Sustainable Urban Drainage Systems (prepared by Persimmon Homes, dated December 2020)
Open Space Assessment (prepared by Persimmon Homes, dated December 2020)
Parking Statement (prepared by Persimmon Homes, dated December 2020)
Planning Statement (prepared by Persimmon Homes, dated December 2020)
Specification for strip, plan and sample recording (prepared by Archaeological Project Services, dated March 2020)
Flood Risk Assessment (prepared by amazi Consulting Ltd, dated 9th November 2020)
Service Charge Summary (prepared by Encore Estate Management Ltd, dated June 2021)
Drainage Non Technical Summary (prepared by Infrastructure Design Limited, dated 16 July 2021)
Street Scene - Plots 4-94
Street Scene - Plots 54-65

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, Members of the Planning Committee, which took the decision to refuse planning permission, consider that the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reason 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
Planning Manager
South Holland District Council

BUILDING REGULATIONS:
This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk

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		

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.