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TOWN AND COUNTRY PLANNING ACT 1990 FULL

Reference:	H23-0354-25	Date of Decision:	16th December 2025
Applicant:	Wright Engineering Fenland Manor Holbeach St Johns Spalding Lincolnshire PE12 8RQ		
Location:	Fenland Lodge Cranesgate South Holbeach St Johns Spalding		
Description:	Proposed bungalow consisting of 6 shipping containers - Part 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 proposal site is located outside of any settlement boundary (as shown on the Inset Maps pertinent to Policy 1) and is therefore identified as being in the countryside in policy terms. Policy 1 of the South East Lincolnshire Local Plan, 2019 (SELLP) states that development in the countryside will only be permitted that 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 benefits.

The proposed development is located within the open countryside and would consist of a scheme for a single self-build dwelling, such a residential development type that is not typically supported in a countryside location. In addition, South Holland District Council, as of 31 March 2025, can demonstrate the deliverability of a 5 year land supply for homes across the district, and is able to demonstrate a supply of deliverable sites equivalent to 5.5 years under the Liverpool Method through the latest Housing Land Supply Assessment.

It is not considered that the application has demonstrated that any sufficient material considerations currently exist to support development in this location and such a departure from the Local Plan.

Policy 11 (Distribution of New Housing) of the South East Lincolnshire Local Plan, 2019 specifically refers to self-build & custom build dwellings and indicates at Paragraph 5.3.5 that "within the defined settlement boundaries there will be numerous opportunities for infill and larger-scale housing development that will be available to the local builder, self-builder, custom-builder and larger house-building companies". It is not practical to identify or anticipate all such opportunities; however, the positive tone of the Local Plan encourages such development *"provided that the material considerations of the Local Plan and particular sites can be met"*. This latter point is particularly pertinent as it makes clear that permission should only be granted for such sites where there are no material considerations set out within the Local Plan that indicate otherwise. The location in this instance lies outside the defined settlement boundary and as such, is considered to be a material consideration that holds weight in this instance against the proposal. The benefits of one single Self and Custom Build dwelling are considered to be minimal and would not help to overcome the issues outlined nor overcome the clear policy conflict.

Furthermore, a recent appeal statement (APP/A2525/W/25/3359058) further outlines the Local Planning Authorities stand point on this basis, *'Notwithstanding this, paragraph 5.3.5 of the supporting text to SELLP Policy 11 states that there may be opportunities for infill self-build development within defined settlement boundaries, although housing need may also be met through rural exception sites where appropriate. The appeal site is not within a settlement boundary, and it has not been suggested that it would be a rural exception site' and 'On the basis of the above, there is no compelling reason before me to justify a deviation from the provisions of Policy 1 in this case. Accordingly, the proposed site would not represent a suitable location for housing, having regard to the development plan as a whole. The proposal would therefore conflict with SELLP Policy 1 which seeks, among other matters, to direct new development to the most sustainable locations'*.

Therefore, the proposal is considered to be contrary to Policy 1 and 11 of the South East Lincolnshire Local Plan, 2019.

Notes:

The determined plans are:

- 4408-25 01 - Proposed Floor Plans & Elevations, Site & Location Plans
- 4408-25 - BNG Exemption Statement

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@planninginspectorate.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.