

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager
To: Planning Committee
Author: Richard Fidler
Subject: Planning Appeals
Purpose: To provide an update on recent Appeal Decisions

Recommendation

a) That the contents of this report be noted

1.0 OVERVIEW

1.1 Since the last report 3 appeal decision(s) have been received, the results are as follows:

Appeals Dismissed: 2

Appeals Allowed: 1

Appeals Part Allowed: 0

1.2 Since the 1st April 2017 140 planning appeal decisions have been received of which 104 have been dismissed, which equates to a success rate of 74.29%

2.0 PLANNING APPEALS DISMISSED

H11-0934-20 Mr J Heading - Joan Isus

4a Gimmels Gate Long Sutton	APP/A2525/W/21/3267554
Siting of touring caravan - retrospective	Decision Date: 21st June 2021
The Inspector concluded that the appeal site is not a suitable location for a caravan for permanent residential occupation having regard to national and local planning policies and the accessibility of services and facilities. As a result, the development would conflict with the spatial strategy for the area set out in Policies 1 of the Local Plan and does not accord with any of the exceptions to the restriction of development in the open countryside set out across Policies 2, 3, 4, 10, 11, 19, 20, 22 and 23 of the Local Plan. It would also conflict with the NPPF. Further it has not been demonstrated that there are no reasonably available sites in areas at lower risk of flooding and the proposal would not be acceptable having regard to the flood risk requirements in Policy 4 of the Local Plan and the NPPF.	

H20-0553-20 L Dodd, A Merchant & P Roffe - Dave Gedney

North Of 35 Jarvis Gate Sutton St James	APP/A2525/W/21/3269707
Residential Development - 3 plots including accesses and field access	Decision Date: 5th July 2021
The Inspector concluded that the proposal would not be an appropriate location for the appeal scheme when having regard to the spatial strategy in the development plan, the proposal would	

result in significant harm to the character and appearance of the site and the surrounding area. The proposal would therefore be contrary to Policies 1, 2 and 3 of the Local Plan in as much as these seek to ensure that the design of all development is, amongst other things, appropriate to the character and quality of the area and requires that development proposals demonstrate how they respect the character and appearance of the area and the relationship to existing development and land uses. Further the appeal scheme would not provide suitable living conditions for future occupiers. The development is, therefore, contrary to Policies 3 and 30 of the Local Plan which, amongst other things, requires that development should not adversely affect residential amenity or health.

3.0 **PLANNING APPEALS ALLOWED**

H16-0352-20 Mr C Boz - Polly Harris-Gorf

147 Hawthorn Bank Spalding	APP/A2525/W/20/3264887
Proposed single storey residential dwelling	Decision Date: 3rd June 2021
The Inspector concluded that the development proposed would not be harmful to the character and appearance of the area. In this respect the development accords with Policies 2 and 3 of the SELLP and Paragraph 127 of the NPPF, which in summary, and amongst other things, require that development achieves high quality design that responds positively to local character. Further the Inspector did not consider that the proposal would result in unacceptable noise or disturbance. Accordingly, the development proposed would not unacceptably affect the living conditions of No 147 Hawthorn Bank. In this respect, the proposal would not conflict with Policy 3 of the SELLP, which, amongst other things, seeks to protect residential amenity.	

None

4.0 **ENFORCEMENT APPEALS DISMISSED**

None

5.0 **ENFORCEMENT APPEALS UPHELD**

None

Background Papers - Planning Application and Enforcement Working Files

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