

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 8 appeal decision(s) have been received, the results are as follows:

Appeals Dismissed:	8
Appeals Allowed:	0
Appeals Part Allowed:	0

1.2 Since the 1st April 2017 93 planning appeal decisions have been received of which 68 have been dismissed, which equates to a success rate of 73.11%

2.0 PLANNING APPEALS DISMISSED

H03-1104-17 Mr I McDonald - Lucy Buttery

The Cottages, Blue House Farm Main Road	APP/A2525/W/18/3197364
Residential development (Single dwelling with detached double garage) re-application of H03-0407-17	Decision Date: 28 May 2019
The Inspector concluded that the location of the proposed dwelling would be unsuitable for housing in terms of accessibility to shops, services and facilities. Future occupants would therefore be highly reliant on car travel, resulting in negative environmental effects, to which I attach significant weight. Therefore, the adverse impacts would significantly and demonstrably outweigh the benefits and so the proposal would not represent sustainable development. Consequently, the proposal would conflict with the spatial strategy in Policy 1 of the SELLP, which seeks to ensure that development needs of the area are met in a sustainable manner.	

H08-0895-17 P & G Developments Ltd - Mark Simmonds

Former: Gosberton Medical Centre Low Gate	APP/A2525/W/18/3197440
Residential development - erection of 5 dwellings	Decision Date: 28 May 2019
The Inspector concluded that the proposed development would have a materially harmful effect upon the character and appearance of the area and the living conditions of future occupants and neighbours, to which I attach significant weight. Therefore, the adverse impacts would significantly	

and demonstrably outweigh the benefits and so the proposal would not represent sustainable development and conflict with Policy 3 of the SELLP, which amongst other matters seeks to ensure that new developments deliver high quality places which secure residential amenity.

H02-0996-17 Mr A Nobbs - David Grant

Land At 2 Postland Road Crowland	APP/A2525/W/18/3197374
Proposed dwelling - re-submission of H02-0798-17	Decision Date: 21 May 2019
<p>The Inspector concluded the proposed development would unacceptably harm the character and appearance of the area. This would be contrary to the aims of Policy 2 of the SELLP, which amongst other things requires that the scale and layout of new development respects the character and appearance of the area and the relationship to existing development. Further the proposed development would have an adverse impact with regard to overshadowing on the host property and therefore conflict with Policy 3 of the SELLP, which amongst other matters seeks to ensure that new developments safeguard residential amenity.</p>	

H23-1144-18 Mr & Mrs L Brown - David Grant

Adjacent: 100 Cobgate Whaplode	APP/A2525/W/19/3220371
Residential development	Decision Date: 20 May 2019
<p>The Inspector concluded the proposal would make a limited contribution to meeting the District council's housing requirements and would generate a minor economic benefit through the development of the site. However, given the failures identified in terms of the proposal's conflict with the development plan and national policy and for sustainability reasons a new dwelling in the countryside would be inappropriate. The proposal would also result in harm to the character and appearance of the area. These are matters which attract significant weight and tip the balance firmly against the proposal. would be in conflict with the spatial strategy in Policy 1 of the SELLP as well as policies 10, 11 and 17 of the SELLP which underpin the delivery of housing within defined settlements. Furthermore, the proposal does not comply with any of the exceptions for new dwellings in the countryside defined under policies 19, 22 or 23 of the SELLP and the proposal would be also contrary to policies 2 and 3 of the SELLP which amongst other things require proposals to have regard to the character and appearance of an area and stipulate that proposals which fail to maximise opportunities to improve the character and quality of an area will not be acceptable. The proposal would also conflict with Paragraph 170 of the NPPF which requires planning decisions to recognise the intrinsic character and beauty of the countryside.</p>	

H18-1167-18 S E King Building Contractors Ltd - David Grant

Off Bridge Road Sutton Bridge	APP/A2525/W/19/3220553
Proposed pair of semi-detached dwellings	Decision Date: 20 May 2019
<p>The Inspector concluded the proposal would make a limited contribution to meeting the District council's housing requirements and would generate a minor economic benefit through the development of the site. However, given the failures identified in terms of the proposal's conflict with the development plan and national policy and for sustainability reasons a new dwelling in the countryside would be inappropriate. The proposal would also result in harm to the character and appearance of the area. These are matters which attract significant weight and tip the balance firmly against the proposal which would be in conflict with the spatial strategy in Policy 1 of the SELLP as well as policies 10, 11 and 17 of the SELLP which underpin the delivery of housing within defined settlements. Furthermore, the proposal does not comply with any of the exceptions for new dwellings in the countryside defined under policies 19, 22 or 23 of the SELLP.</p>	

H20-0839-18 Mr J Cross - Dave Gedney

Off Fishergate Sutton St James	APP/A2525/W/19/3220914
Residential development	Decision Date: 04 June 2019
<p>The Inspector concluded that the proposed development would not provide a suitable location for housing having regard to the character and appearance of the area. Therefore, it would conflict with SELLP Policy 1 which seeks to direct development within settlement boundaries and with SELLP Policy 2 which requires developments that respect the character and appearance of the</p>	

area among other things. The proposal would also conflict with paragraph 127 of the NPPF in this regard.

H22-0747-18 Applegate UK Ltd - Lucy Buttery

Land South: 247 Broadgate Weston Hills	APP/A2525/W/19/3223142
Proposed residential development and associated works	Decision Date: 06 June 2019
The Inspector concluded that the proposed development would not provide a suitable location for housing having regard to the character and appearance of the area. Therefore, it would conflict with SELLP Policy 1 which directs developments within settlement boundaries and with SELLP Policies 2 and 3 which seek developments that meet considerations including the character and appearance of the area. The proposal would also conflict with paragraph 127 of the NPPF in this regard.	

H17-0165-18 Mr & Mrs D M Titterton - Lucy Buttery

14 Stockhouse Lane Surfleet	APP/A2525/W/18/3205493
Residential development (re-submission of H17-1050-17)	Decision Date: 29 May 2019
The Inspector concluded the proposed development would have an unacceptably harmful effect upon the living conditions of neighbours with regard to noise, disturbance and emissions from vehicles using the proposed driveway area. Consequently, the proposal would fail to accord with Policy 3 of the SELLP, which amongst other matters seeks to ensure that new developments deliver high quality places which secure residential amenity.	

3.0 PLANNING APPEALS ALLOWED

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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