

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

Appeals Dismissed:	3
Appeals Allowed:	1
Appeals Part Allowed:	0

1.2 Since the 1st April 2017 99 planning appeal decisions have been received of which 72 have been dismissed, which equates to a success rate of 72.72%

2.0 PLANNING APPEALS DISMISSED

H18-0450-18 Mr & Mrs D Moore - David Grant

Land Adjacent: Fenland Lodge King John Bank	APP/A2525/W/18/3215631
Proposed residential dwelling	Decision Date: 06 August 2019
The Inspector concluded that the proposal would create an isolated home in the countryside, would fail to meet the Exception Test in terms of flood risk, and would be contrary to the NPPF in this regard.	

H16-0377-18 Mr Alan Bentley - Sense - Mark Simmonds

Sense Charity Shop 3-7 Station Street	APP/A2525/W/18/3216194
Replacement windows (retrospective)	Decision Date: 09 August 2019
The Inspector considered that the attractiveness and viability of the Conservation Area is determined by its distinctive and traditional details and that the loss of such elements can cause more serious harm to the future viability of historic places. Therefore, although some limited weight can be attributed to the need for increased energy efficiency, reduced noise and air pollution for occupiers of the shop, the Inspector concluded this does not outweigh the serious harm identified whereby the character and appearance of the Spalding Conservation Area will be eroded through further cumulative loss of historic details.	

Land Off Battlefields Lane North Holbeach	APP/A2525/W/18/3218958
Residential development - for up to 12 dwellings	Decision Date: 16 August 2019
<p>The Inspector concluded the proposal would be in an inappropriate location beyond the settlement boundary for Holbeach which, whilst not isolated, would nonetheless be subject to the significant physical and psychological barrier to movement (and ease of movement) presented by the A17 corridor. Furthermore, due to the relationship of the site to Holbeach, the A17 and the group of houses on Battlefields Lane North and Washway Road, the proposal would result in a harmfully urbanising form of development at odds with the rural character of the surrounding area. There are no material considerations of sufficiently positive weight to outweigh the harm that would arise from the inappropriate location of the proposal, the effect that it would have on the character of the surrounding area and in terms of flood risk.</p>	

3.0 PLANNING APPEALS ALLOWED

H09-0798-18 Exec of the Late D Bailey - Dave Gedney

Adjacent: Rosemead Stoton's Gate	APP/A2525/W/19/3223469
Proposed conversion of barn to dwelling	Decision Date: 07 August 2019
<p>The Inspector acknowledged that the road is not in a good state of repair. However, he was of the view that the state of the road is more of an inconvenience rather than a significant highway safety concern. Furthermore, the ongoing maintenance of the public highway is not a matter which persuaded him that planning permission should not be granted. The Inspector therefore concluded that Stoton's Gate would provide a suitable access to the new dwelling and the proposal would accord with Policy 2 of the SELLP which amongst other matters seek to ensure that proposals are sustainable development (including access and vehicle generation levels). It would also accord with the overarching aims of the NPPF which indicates that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.</p>	

4.0 ENFORCEMENT APPEALS DISMISSED

None

5.0 ENFORCEMENT APPEALS UPHELD

None

Background Papers - Planning Application and Enforcement Working Files

Lead Contact Officer

Richard Fidler; Development Manager
01775 764428
rfidler@sholland.gov.uk