

AGENDA



- Committee - **PLANNING COMMITTEE**
- Date & Time - Wednesday, 7 January 2026 at 6.30 pm
- Venue - Council Chamber, Council Offices, Priory Road, Spalding

Membership of the Planning Committee:

Councillors: B Alcock, J Avery (Chairman), A C Beal (Vice-Chairman), H J W Bingham, C J T H Brewis, A Casson, S Hutchinson, T Sneath, A C Tennant, J Tyrrell and A R Woolf

Substitute Members of the Planning Committee

Any member may sit on the pool of substitutes for the Planning Committee provided they receive training every 12 months as approved by the Council (minute 290(c)/05 refers). Substitutions are for individual meetings only.

Quorum: 4

Persons attending the meeting are requested to turn their mobile telephones to silent mode

Democratic Services
Council Offices, Priory Road
Spalding, Lincs PE11 2XE

Date: 24 December 2025

Please ask for Democratic Services: Telephone 01775 764838
e-mail: demservices@sholland.gov.uk

A G E N D A

1. Apologies for absence.
2. Minutes - (Pages 5 - 10)
To sign as a correct record the minutes of the meeting held on 8 October 2025 (copy enclosed).
3. Declaration of Interests. -
(Where a Councillor has a Disclosable Pecuniary Interest the Councillor must declare the interest to the meeting and leave the room without participating in any discussion or making a statement on the item, except where a Councillor is permitted to remain as a result of a grant of dispensation.)
4. Questions asked under the Council's Constitution (Standing Orders).
5. H05-0439-25 - (Pages 11 - 36)
Full application for use of site to construct new primary substation at Land West of Branches Lane, Holbeach, Spalding (report of the Development Manager enclosed).
6. H16-0854-25 - (Pages 37 - 60)
Section 73 modification application for demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of exiting building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas – Approved under H16-0462-24. Modification to Condition 2 to allow amendments to previously approved plans & modification to Conditions 3, 7 & 25 to allow amendment to wording at Castle Sports Complex, Albion Street, Spalding (report of the Development Manager enclosed).
7. H13-0848-25 - (Pages 61 - 76)
Full application for conversion of existing steel framed building to self build dwelling at Land off High Road, Moulton, Spalding (report of the Development Manager enclosed).
8. Planning Appeals - (Pages 77 - 78)
To provide an update on recent appeal decisions (report of the Development Manager enclosed).
9. Review of Implemented Planning Decisions Tour - (Pages 79 - 84)
To report on the conclusions of the Performance Monitoring Panel and to invite the Committee to submit any comments back to the Panel,

following the review/tour undertaken with members (report of the Assistant Director – Planning and Strategic Infrastructure enclosed).

10. Planning Updates.
11. Any other items which the Chairman decides are urgent. -

Note: No other business is permitted unless by reason of special circumstances, which shall be specified in the minutes, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

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Minutes of a meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Wednesday, 8 October 2025 at 6.30 pm.

PRESENT

J Avery (Chairman)
A C Beal (Vice-Chairman)

B Alcock
H J W Bingham
C J T H Brewis

A Casson
S Hutchinson
T Sneath

A C Tennant
J Tyrrell
A R Woolf

In Attendance: Group Manager – Planning and Development, Senior Planning Lawyer, Development Manager (Interim), Principal Planning Officer and Democratic Services Officer.

22. **APOLOGIES FOR ABSENCE.**

There were none.

23. **MINUTES**

Consideration was given to the minutes of the meeting held on 10 September 2025.

AGREED:

That the minutes be signed as a correct record.

24. **DECLARATION OF INTERESTS.**

Councillor Bingham declared an interest in item 7 within his role as Portfolio Holder for Assets and would therefore leave the room for the duration of that item.

25. **QUESTIONS ASKED UNDER THE COUNCIL'S CONSTITUTION (STANDING ORDERS).**

There were none.

26. **H02-0568-24**

Planning No. and Applicant
H02-0568-24 Mr M Blackbird

Proposal
Full Application for Erection of 3 dwellings with garages – re-submission of H02-0899-22 at Land at Blackbird Close, Crowland.

PLANNING COMMITTEE - 8 October 2025

Consideration was given to the report of the Development Manager upon which the above application was to be determined, including their recommendations, copies of which had previously been circulated to all members.

Members debated the matter and fully explored the details of the application in light of prevailing policies and guidance, with the following comments being raised:

- Whether a sequential test had been performed on the site. A recent appeal on another site had been dismissed due to a sequential test not being undertaken, with no other sites being identified.
 - Officers confirmed that this test had not been undertaken by the applicant or the Council.
- The changes made to the proposal were welcome and more acceptable for the location.
- Issues relating to site levels were being controlled by a condition, but particular attention needed to be paid to this.
- The indicative tree planting shown on the plan was not the most appropriate, being near an existing wall which could cause future problems.
- The plans included within the application outlined different boundaries for the green area making it unclear which one was being determined.
- The site was previously used for industrial purposes and therefore there was a risk of contaminated land that needed to be considered.
 - Officers confirmed that this was covered through condition 5 at section 9.0 of the report.
- Suggestion to add a soft landscaping condition to ensure details of the species of tree to be planted were provided.

The full debate was not repeated here as a livestream of this Planning Committee Meeting could be viewed on South Holland District Council's Facebook page for a limited period of time, in line with the Democratic Services Privacy Notice.

AGREED:

That permission be granted subject to the conditions outlined at section 9.0 of the report, with an additional condition for tree planting and landscaping as detailed below:

Prior to the first occupation hereby permitted, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance.

Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses, in the opinion of the Local Planning Authority, shall be made good as and when necessary.

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NOTE: The submitted landscaping proposals shall demonstrate that Biodiversity Net Gain will be achieved on site, using the Biodiversity Metric 3.1 (or any successor).

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set, and that Biodiversity Net Gain will be achieved.

This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

(Moved by Councillor Bingham, Seconded by Councillor T Sneath)

27. **H16-0846-23**

Planning No. and Applicant

H16-0846-23 Mr N Mohammed

Proposal

Full Application for New Shopfront
– Retrospective at 24 Winsover
Road, Spalding.

Consideration was given to the report of the Development Manager upon which the above application was to be determined, including their recommendations, copies of which had previously been circulated to all members.

Members debated the matter and fully explored the details of the application in light of prevailing policies and guidance, with the following comments being raised:

- The application was a poor replacement for the previous shopfront and the execution was substandard.
- Had the application been before the committee to replace the bay window and not been retrospective, the outcome may have been different.
- Whether refusing the application would lead to the bay window being re-installed.
 - Officers confirmed that refusing the application did not mean the bay window would be re-installed.
- Winsover Road had an eclectic mix of shopfronts, so the proposal fit in with this mix.
- The application had been discussed at Chairman's Panel and the proposal before the Committee was a significant improvement from what had previously been presented.
- The proposal was not very appealing and felt out of place with the shops next door.
- Whether the application being retrospective was a material consideration.
 - Officers confirmed that this was not a material consideration and could not be refused solely for being retrospective.
- The cumulative impact of all the changes made to the shopfront made the proposal unacceptable.
- Concerns around the structural integrity of the canopy following the removal of the bay window.
- The use of grey aluminium for the windows was not appropriate for that location.

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- Winsover Road was not a primary retail area in Spalding and there was no design guide in place for shopfronts in that area.

The full debate was not repeated here as a livestream of this Planning Committee Meeting could be viewed on South Holland District Council's Facebook page for a limited period of time, in line with the Democratic Services Privacy Notice.

AGREED:

That permission be granted subject to the conditions outlined at section 9.0 of the report.

(Moved by Councillor Tyrrell, Seconded by Councillor Tennant)

Councillor Bingham left the meeting at 19:11pm.

28. **H16-0687-25**

Planning No. and Applicant

H16-0687-25 AMP Clean Energy

Proposal

Full Application for Construction and operation of a micro energy storage project at Sir Halley Stewart Playing Field, Winfrey Avenue, Spalding

Consideration was given to the report of the Development Manager upon which the above application was to be determined, including their recommendations, copies of which had previously been circulated to all members.

Members debated the matter and fully explored the details of the application in light of prevailing policies and guidance, with the following comments being raised:

- Concerns were raised regarding the accessibility of the battery box in the event of a fire.
 - Officers confirmed that there was a fire safety plan in place for the battery box and emergency access available.

The full debate was not repeated here as a livestream of this Planning Committee Meeting could be viewed on South Holland District Council's Facebook page for a limited period of time, in line with the Democratic Services Privacy Notice.

AGREED:

That permission be granted subject to the conditions outlined at section 9.0 of the report.

(Moved by Councillor Woolf, Seconded by Councillor Tyrrell)

Councillor Bingham returned to the meeting at 19:16pm.

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29. PLANNING APPEALS

Consideration was given to the report of the Development Manager which provided an update on recent appeal decisions.

Members were advised to contact the relevant case officer should there be any queries or points of clarity required on any of the appeal decisions included within the report.

AGREED:

That the report be noted.

30. PLANNING UPDATES.

There were none.

31. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.

There were none.

(The meeting ended at 7.18 pm)

(End of minutes)

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Agenda Item 5.

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Lead Development Management Planner (Interim) - BBC & SHDC

To: Planning Committee - 07 January 2026

(Author: Mark Niland - Planning Officer)

Purpose: To consider Planning Application H05-0439-25

Application Number: H05-0439-25

Date Received: 07 May 2025

Application Type: FULL

Description: Use of site to construct new primary substation

Location: Land West of Branches Lane Holbeach Spalding

Applicant: National Grid Electricity
Distribution

Agent: Dalcour Maclaren

Ward: Fleet

Ward Councillors: Cllr P S Barnes

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H05-0439-25>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 This application was discussed at Chairman's Panel on the 28th November 2025, following a request from Cllr P Barnes.

1.2 It was resolved that the item be brought to Planning Committee for consideration.

2.0 PROPOSAL

2.1 This is a full planning application for the construction and operation of a new primary substation on land to the west of Branches Lane, Holbeach.

2.2 The proposal is designed to enhance resilience and capacity of the electricity distribution network serving Holbeach and the surrounding area, in response to anticipated residential and commercial growth.

2.3 National Grid Electricity Distribution (NGED) is taking a proactive approach to ensure long-term reliability, flexibility, and future-proofing of the local electricity network. There is also a strategic requirement for this development, it will enable strategic infrastructure proposed by the plan to be realised.

2.4 The development involves a change of use of the land and comprises the following key components:

- Substation infrastructure: two transformers, one switchboard, and an 11kV switchroom building with associated hardstanding.
- Building dimensions: the switchroom building measures 24.14m, 6.75m, 6.7m. The roof is pitched and both walls and roof are to be clad in KS1000 RW cladding by Kingspan, in RAL

6009 Fir Green.

- Fencing and security: 2.4m high palisade fencing will enclose the transformers, with pedestrian and vehicular gates for controlled access. A 1.2m high post-and-rail fence will separate the substation compound from the surrounding agricultural land, with a double field gate marking the main entrance.

- Landscaping and biodiversity enhancements: the scheme includes the creation of a raingarden and swale, planting approximately 587m² of grassland, and the addition of three new trees. Hard and soft landscaping elements have been carefully designed to partially mitigate visual impact.

2.5 The proposed site layout and accompanying survey work illustrates the arrangement of these elements and their integration into the surrounding landscape.

3.0 SITE DESCRIPTION

3.1 The application site is situated to the west of Branches Lane, Holbeach, at the corner with Pike Dam Lane. The nearest residential property is Oakwood Lodge, located to the north of the site. For planning purposes, the site lies within the countryside, outside any defined settlement boundary, and is therefore subject to the relevant South East Lincolnshire Local Plan (2019) countryside policies.

3.2 Topographically, the site is relatively flat and currently comprises agricultural land. A line of trees and a drainage ditch runs along the southern boundary, with open agricultural fields beyond. The existing access is via an agricultural track from Branches Lane.

3.3 In terms of flood risk, the site is located within Flood Zone 3, according to Environment Agency mapping, and falls within areas classified as 'low hazard' and 'danger for some' on the South East Lincolnshire Flood Maps. These classifications have informed the submitted Flood Risk Assessment (FRA) and surface water management strategy for the site.

3.4 Application Background

Due to the strategic nature of this planning application, it is important that the Planning Committee is aware of the background to this application and the strategic overview for this proposal, details of which have been provided by the Council's Strategic Growth Team.

3.5 Whilst Spalding and the west of the district has current capacity within the local electricity network, the same cannot be said for Holbeach and the east of the district - both in terms of 'headroom' capacity and network connectivity. As such, South Holland District Council has been working with consultants to ensure that the current and future power needs of Holbeach and the east of the district can be met. This work commenced following the adoption of the South East Lincolnshire Local Plan in 2019, and has been ongoing ever since.

3.6 In a comprehensive report published by South Holland District Council in March 2021, it was identified and highlighted that there was insufficient capacity in the local electricity network to enable growth ambitions for the east of the district. This report primarily identified that both the housing and commercial developments proposed in both Holbeach and the wider surrounding area, would not be able to come forward unless the electrical infrastructure was significantly upgraded, thus acting as a constraint on delivery rates for the area. In addition, the limited capacity and network capabilities identified is also adversely affecting existing and established businesses looking to expand their operations. The result of this has been a weakened investment market for the area, meaning that opportunities for economic growth are currently being lost, despite acknowledged demand in the locality.

3.7 The 2021 report evidenced the need for a new primary sub-station to be developed to serve Holbeach, Long Sutton and beyond, to be located to the south or south west of the settlement. The estimated cost at the time was between £8 million and £12 million, with an anticipated lead-in time of 3-5 years. This time frame also stemmed from the date of commitment by the National Grid to deliver the new primary substation. However, there was no commitment at the time from the National Grid to deliver this much needed infrastructure, neither had a site been identified.

3.8 Since this time, South Holland District Council has submitted a bid to the National Grid (now NGED), to seek a commitment to secure a new sub-station to serve Holbeach and the east of the district. This bid was successfully promoted through the governments Green Recovery programme and has received approval from OFGEM, with NGED having made a commitment to provide the necessary upgrades to the electricity infrastructure network in the east of the district. In the preceding time, NGED has secured the current application site following an extensive search for a site which both meets the needs of the district but also satisfies the technical requirements necessary to upgrade the existing electricity supply network.

3.9 The current application and proposal, represents the culmination of over 6 years work by South Holland District Council to meet the needs of its residents and growth ambitions of the district, through the proposed enhancements to the local electricity network and infrastructure in this area.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.2 In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland.

4.3 South East Lincolnshire Local Plan, March 2019

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 4 - Approach to Flood Risk
Policy 28 - The Natural Environment
Policy 29 - The Historic Environment
Policy 30 - Pollution
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

4.4 National Guidance

National Planning Policy Framework (NPPF), December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

4.5 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H09-0387-94 - Erect 33,000 volt overhead line. Approved 15-06-94.

6.0 REPRESENTATIONS

6.1 Consultation Responses

6.2 Cllr Barnes

8-09-25 - There are concerns from residents regarding the location of this site and I request this application is taken to full committee unless refused by officers.

6.3 **Strategic Growth Team**

The Council's Strategic Growth - Programme Manager has confirmed that the medium and long-term benefits that the new primary substation will bring to the wider district cannot be over emphasised, as such the current application and proposal is welcomed. Furthermore, the current proposal is considered to be in general conformity with the provisions of the Local Plan.

The Switchroom building would be of an appearance which mirrors a significant number of similarly design modern agricultural buildings found within the wider district and most rural areas. The proposed design of the switching equipment and gear within a large green shed is welcomed for this reason, given it would be typical of the rural landscape. The appropriateness of this design (i.e. a barn-like building) is an appropriate design solution which would reduce the visual impact of the associated transformers.

Whilst there would be limited landscaping associated with the development, this would be in-keeping with most agricultural barn structures throughout the district that similarly are not subject to such screening. As such, it would be unreasonable to resist the current proposal on the grounds of insufficient landscaping.

In summary of the application it was confirmed that, 'The electricity infrastructure presently provided within this part of the district is inadequate to meet with existing or future needs/demand in terms of planned and expected growth. In this context, the proposed significant upgrading of the electricity network, in terms of capacity and connectivity, is wholeheartedly welcomed. The chosen site is appropriate in terms of the scale of the proposed buildings and structures. There is no discernible adverse impact on residential amenity and little adverse impact on the character and appearance of the immediate or wider landscape. Traffic generation is at a level that will have no adverse impact on the highways network. Taken as a whole, these proposals are supported from both a planning and a growth perspective.'

6.4 South Holland IDB

The applicant proposes to discharge surface water to a watercourse at a rate of 1 l/s. This is in excess of the greenfield rate for the impermeable area only, however I note that the proposed rate is the minimum possible to reduce the risk of blockages in the system. This proposal will require consent under Byelaw 3.

6.5 Environment Agency

The development shall be carried out in accordance with the submitted flood risk assessment dated 27 March 2025, ref: 'AEG0931_PE12_South_Holland_07', prepared by Aegaea and the following mitigation measures it details:

- All vulnerable equipment shall be raised a minimum 1.0 metre above the existing ground levels.

These mitigation measures shall be fully implemented and shall be retained throughout the lifetime of the development.

6.6 Historic Environment Officer

The proposed development comprises: 'Use of site to construct new primary substation'. The proposed development groundworks and any temporary works associated with the development will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present. As mentioned above, there is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction - NPPF (paragraph 218).

We recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a phased approach of

archaeological investigation and mitigation work. This will initially comprise but may not be limited to a geophysical survey, geoarchaeological assessment and archaeological trial trench evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above and to inform a programme of further archaeological mitigation work which may be required if archaeological remains are identified in the evaluation. This will enable any remaining archaeology which currently survives on this site to be properly assessed and recorded prior to their alteration or destruction. This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with National Planning Policy Framework paragraphs 207 and 218 and the South East Lincolnshire Local Plan (Policy 29).

6.7 Highways & Suds Support

No objection, subject to:

Planning application for the use of the site for a new primary substation. The site is located to the west of Branches Lane, Holbeach. The land to the north of the site will accommodate a temporary compound for vehicle parking etc and this will be done under Permitted Development Rights.

The proposed vehicle movements associated with the construction of the sub-station is very low a maximum of 4 HGV movements a day, sometimes less. With the addition of staff movements a maximum of 10-12 car movements (total 20-24). The possibility of the heavy vehicles associated with the development meeting another vehicle is low due to the low frequency of the movements. A Construction Management Plan has been submitted along with a feasibility study of the possible two access routes to the site - both of these documents should form part of the list of approved documents attached to any planning approval. Banksmen will be utilised, and deliveries will be coordinated outside of traffic sensitive times on the network.

Route 1 A17-B1515-Branches Lane has been accepted as the most appropriate route to the site. A Section 59 Inspection under the Highways Act 1980 will be carried out prior to commencement and after completion to ensure that any damage caused to the public highway as a result of the construction will be remedied by the developer.

Appropriate signage will be erected to warn road users of the development. Highway improvements are required to the overrun area on the bend to the south of the access to formalise the construction here and install kerbing and renew/realign kerbing on the other side of the bend whilst constructing access points to both fields connected to this area.

These highway improvements and the access construction to the site can be done under a Section 278 Minor Works Agreement with Lincolnshire County Council. There is no precise definition of "severe" with regards to NPPF Paragraph 116, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
- The level of provision of alternative transport modes
- Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

6.8 Designing Out Crime Officer

Lincolnshire Police do not have any objections to this development.

6.9 Lincs Fire and Rescue

1st Response

I refer to the planning application reference H05-0439-25. The Fire Authority object to the application on the grounds of inadequate water supply. It is the opinion of the Fire Authority that in order to remove the objection the following measures are required.

ACCESS

No comment.

WATER SUPPLY

Lincolnshire Fire and Rescue requires the installation of one fire hydrant conforming to BS750-2012 within 90m of the premises entrance in respect of this planning application to be provided at the developer's expense. Fire hydrant acceptance testing will be carried out by a Hydrant Inspector on completion and a standard hydrant marker "H" plate will be fitted nearby. Following adoption, the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrant.

ENVIRONMENTAL

No comment.

Following the submission of a report by the applicant Lincs Fire & Rescue made comments on this report in an email dated 30th October, stating:

I've reviewed the compliance report. Regarding the transformers, they appear to be compliant and using the appropriate sections of the BESS guidance. However, under Building Regulations 2010 (Approved Document B - ADB), a fire hydrant should be located within 90 metres of a dwelling entrance.

While I understand there is no BESS on site meaning a hydrant is not legally required in that section - the site does include a building. Therefore, the current setup does not comply with ADB, as there is no hydrant within the required distance of the dwelling, and therefore the reason of the initial objection.

Further clarification from the same officer, by email that day reinforces that the objection is based upon the building regulation compliance (Approved Document B) to provide Hydrants.

6.10 Officer Comments

Approved document B stipulates that a hydrant is required if the building has a compartment with an area of more than 280sqm, or if the building is being erected more than 100m from the nearest existing fire hydrant.

Whilst the building is below that footprint threshold, it is not clear what the distance is from the nearest existing fire hydrant, and given the site location it is likely to be beyond the 100m. That said, this is a requirement set out under building regulations and secured by that legislation.

It is not good planning to duplicate mitigation (unnecessary and unreasonable). Therefore, given the fire report is acceptable, and that the objection is based upon building regulations compliance, it is acceptable in planning terms. The onus would be on the developer to find a solution for the hydrant, to satisfy building regulations.

6.11 Ecology

On protected species:

- The applicant has provided a detailed PEA and we can have confidence in its conclusions. We support all mitigation recommendations provided by the ecologist in the preliminary ecology report.
- Due to the proposed site being a suitable habitat for nesting birds, we request that the following wording be set as a condition on discharge:
 - "Vegetation should be cleared outside of the main bird nesting season (March to August inclusive) where possible.

If works are justifiably required during the nesting season, then a nesting bird check/habitat inspection should be undertaken prior to work by an ecologists within 24 hours prior to clearance to ensure that there is not nest disturbance within the site. Any active nests discovered during inspections will be protected with a suitable exclusion buffer (of appropriate size to the species) to prevent disturbance and monitored until the nest is no longer active / all chicks have fledged, when the ecologist will provide a sign out for clearance work to continue."

On BNG

Overall, the biodiversity assessment and metric calculations appear a bit confused, therefore I wish to make some comments on this. It appears as though the on-site habitat creation tab in the statutory metric needs to be filled in correctly. The planting specification plan suggests there will be specially planted meadow mix sections of grassland to the west of the site and three new trees were planted to the south of the site. However, this habitat creation has not been addressed in the statutory metric. If the section to the west of the site was to be planted with a meadow grassland mix (estimated as poor target habitat condition of moderate grassland) and the three new trees (small trees with target habitat condition of poor) were used in the habitat creation for site it would achieve roughly -51.09% needing 0.8 off-site habitat units to be secured. Alternatively, if the target habitat condition of these proposed planting sections was to be moderate target condition then the applicant would only need to secure 0.57 offsite habitat units to achieve 10% net gain. However, if the metric provided is correct and there is to be no onsite habitat creation to improve biodiversity, then to achieve 10% biodiversity net gain for this site the applicant will need to secure a deficit of 1.12 habitat units offsite.

There has been sufficient evidence provided to determine this application, we will require an updated metric pre-commencement if the applicant decides to create habitats on site as per the planting specification. We will also require evidence that off-site biodiversity units have been secured pre-commencement.

6.12 Environmental Protection

No comments to make.

6.13 **Representations**

This application has been advertised in accordance with the Development Management Procedure Order 2015. The application has been subject to objections, which are summarised into the following points.

- No plans given for the routing of cables/how is power coming and going;
- Noise and disturbance during construction;
- Character Impacts;
- Highway Safety concerns;
- Light pollution;
- Landscaping not appropriate; and
- Amenity impacts for local residents.

7.0 **CONSIDERATIONS**

7.1 Principle of Development

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

7.2 Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

7.3 The application site is located outside of any defined settlement boundary and within the open

countryside for policy purposes. The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside.

7.4 Policy 1 of the South East Lincolnshire Local Plan (2019), which sets out the spatial strategy for the district, details the following in regard to these areas:

In the Countryside development will 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."

7.5 As an expansion, paragraph 3.2.15 (within the policy justification) expands on countryside uses, stating that "Agriculture and forestry are clearly uses which must function in the Countryside but other uses which may diversify from agriculture and forestry, e.g. recreation and tourism, can meet the broad sustainable objectives of the Local Plan."

7.6 The applicant has provided a planning statement. This statement has also been reinforced by an email dated 10th October, both of which are key to assessing the principle of this development. Along with the email, the applicant has also provided a Network Development Report prepared by the National Grids East Midlands Team (May 2024). The email states (in part) that:

This report assessed all existing and future network constraints over a 0-10 year identified on the 33kV network fed from Spalding to South Holland BPS. As considered in Section 2, it was identified that several parts of the electricity network in the region are expected to face problems in the future. In 2028, transformers at Holbeach and Long Sutton substations could become overloaded if nearby equipment fails or is taken offline for maintenance, and low voltage issues may affect areas fed by South Holland. By 2034, further overloads are predicted on circuits and transformers at Holbeach, Long Sutton, and Spalding Park Road, especially during outages, which could strain the system and impact power reliability.

7.7 This position is further supported by the views of the Council's strategic officer, who has provided both the strategic context for this proposal, but also the significant role this development would make to the economic growth ambitions for the district and its residents. These comments reinforce the proposals significant economic and community benefits that would be delivered by the scheme, in accordance with the requirements of Policy 1 of the SELLP.

7.8 As part of the assessment, solutions were sought; some of the solutions included:

1. Upgrading the transformers and circuits to Holbeach primary.
2. Installing a third transformer and circuit to Holbeach primary.
3. Building a new primary between Holbeach and Long Sutton.
4. Reviewing seasonal ratings.
5. Procuring flexibility under Holbeach primary.

7.9 Whilst the applicant does not provide a detailed methodology for discounting alternative sites, they confirm that Option 3 - the construction of a new primary substation - was determined to be the only feasible solution. This view is supported by the Council's Strategic Growth Team who have confirmed that an extensive search has been undertaken by National Grid (now NGED) to identify a site which both meets the needs of the district, but also satisfies the technical requirements necessary to achieve the much needed upgrade to the existing electricity infrastructure supply network.

7.10 The proposal constitutes essential infrastructure, and the development of a new primary substation is considered the only viable means of securing ongoing resilience for the electricity network in the area. The selected site, although arrived at without alternative locations being feasible, is inherently suited to a countryside setting. Primary substations must be physically isolated for reasons of public safety, security, operational control, and hazard mitigation. This requirement for separation from other uses is primarily dictated by UK health and safety legislation, specifically the Electricity at Work Regulations 1989 (EAWR) and the Electrical Safety, Quality and Continuity Regulations 2002 (ESQCR).

- 7.11 In the context of Policy 1, it is clear that the proposal necessitates a countryside location. The chosen site is sufficiently distant from existing residential properties to provide operational security, yet close enough to serve the area it is intended to support. It is also accessible via the local highway network, ensuring practical connectivity for construction and maintenance purposes.
- 7.12 On this basis, the application has demonstrated that the site is locationally appropriate, and would deliver significant economic and community benefits to the district, the proposal is considered to sufficiently accord with the requirements of Policy 1 of the South East Lincolnshire Local Plan (2019). Therefore, the principle of the proposed development is considered to be acceptable.
- 7.13 Character and Appearance
- Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.
- 7.14 Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.
- 7.15 Policy 2 of the South East Lincolnshire Local Plan (2019) states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Policy 2 point 1 states that proposals should meet with sustainable development considerations specifically in relation to 'size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses'.
- 7.16 Policy 3 of the South East Lincolnshire Local Plan (2019) sets out the 'Design of new development' in part it states that "Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable".
- 7.17 Paragraph 187b of the National Planning Policy Framework (December 2024) states that planning decisions should "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland".
- 7.18 In the case of the current proposal, the application site is not located within a landscape of any special designation, protection or sensitivity either locally or nationally. Whilst in a reasonably prominent location visually, it is considered that the application site makes a limited contribution to the character and value of the surrounding landscape by virtue of its small size/scale and the partial screening that is offered by the immediately adjacent band of mature trees.
- 7.19 Furthermore, due to its relatively isolated location, the proposed development would not restrict or adversely affect any important or significant views from any nearby settlement or dwellings to the surrounding countryside. With the exception of vehicles travelling along Branches Lane (an unclassified public highway), views of the proposed development from main public vantage points, would be generally medium to long ranging. In this regard, the visual impact is considered to be localised to the immediate and isolated locality. As such, the proposal would not in an overtly visually incongruous or dominant landscape within the wider locality, reducing the overall visual impact of the development. The proposal for a primary substation in this location would inevitably have a negative impact on the character of the open landscape. While a line of trees provides some screening along the southern boundary of the site, there is

currently no comparable protection to the north. The applicant has proposed a combination of hard and soft landscaping measures to help mitigate the visual impact. Soft landscaping includes the introduction of three new trees, a raingarden, a swale, and approximately 587m² of grassland, complementing the hardstanding and built elements of the substation.

- 7.20 The site lies within the Fens National Character Area, an area distinguished by its historic, human-influenced wetland landscape to the west of the Wash estuary. The Fens are characterised by a large-scale, flat, open landscape with extensive, uninterrupted vistas to the horizon. In recognition of the sensitivity of this landscape, the applicant has submitted a Landscape and Visual Impact Assessment (LVIA).
- 7.21 The LVIA concludes that the site's visibility in the wider countryside is limited by landform, existing vegetation, and nearby development. However, the substation infrastructure would remain visible from Branches Lane in the immediate vicinity and from public footpath Fleet/2/1 to the north. The LVIA assesses these impacts as moderate adverse and demonstrates how further enhanced landscaping could be achieved which would soften the extent of the visual impact that would arise. The assessment further demonstrates that the development would be capable of being designed and built, akin to an agricultural barn (such as one existing in close proximity to the site), so as not to result in any significant or overtly harmful visual impacts to the character of the surrounding landscape, in accordance with Policy 2 (criterion 1 and 2) and Policy 3 (criterion 1 and 3) of the SELLP.
- 7.22 Given the operational requirements of the substation, certain planting and screening measures may be constrained, as the apparatus is sensitive and requires operational clearance. Nevertheless, in order to mitigate impacts on views from Branches Lane and the nearby public right of way, it is recommended that a Grampian-style condition be attached requiring the submission and approval of a detailed landscaping scheme prior to the facility becoming operational. This would ensure that landscaping is implemented effectively to soften visual impacts.
- 7.23 In addition, whilst the proposal includes the provision of security fencing, the applicant is also proposing the use of a post and rail fence around the site. Whilst this fencing would not ultimately screen the development, this feature would be in-keeping with the rural and agricultural nature of the site and would help to soften the visual impact of the development. Furthermore, it is proposed to control the colour of the metal fencing as green through the imposition of a condition. This would ensure that the fencing better harmonises with the surrounding vegetation and rural nature of the site, and would not appear as a visually incongruous feature viewed in stark contrast to the context and nature of the site.
- 7.24 While the fundamental nature of the substation means that it will never fully harmonise with the surrounding countryside, the need for operational isolation is an important material consideration. Consequently, although the proposal may not fully satisfy Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), the imposition of a condition securing an agreed landscaping scheme provides an appropriate level of mitigation and it is considered, on balance, to be acceptable in this regard. This is also reinforced by the appearance of the main building proposed, being largely similar to that of a large agricultural barn, which would be appropriate given the rural and agricultural context of the site. Such buildings are common place throughout the wider district and in rural areas more generally - with a similar such building already being located in near proximity to the site. As such, it is considered that the proposal would not appear as a visually incongruous feature in the local or wider surrounding landscape despite its size and the nature of its use.
- 7.25 Although it is considered reasonable to conclude that some degree of landscape harm would arise through the loss of an agricultural field and due to the size and nature of the development, the extent is considered not to be significantly adverse. The proposed development would not have a significantly adverse impact upon the character of the local landscape due to the agricultural design of the proposed development, the limited public views that would be affected and due to the relatively limited significance or importance that the site makes to the wider landscape or its setting.
- 7.26 Furthermore, it is considered that the extent of the harm that would be caused in this regard would be significantly outweighed by the substantial wider public benefits that the scheme would deliver in terms of achieving enhanced resilience and capacity within the local electricity

network to deliver strategic economic growth through employment provision and housing supply, when considered in the planning balance. This view is supported by the views of the Council's Strategic Growth Team who have provided considerable support for the development and outlined the significant benefits that the proposal would deliver to the area.

- 7.27 Overall, whilst it is acknowledged that considerations on design and landscape impacts are a largely subjective matter, in the opinion of officers the design approach proposed by the applicant is considered to be acceptable and of a suitable architectural appearance that would not result in significant or demonstrable harm being caused to the character of the area. As such, it is considered that the proposal can be considered to sufficiently accord with the requirements of Policies 2 (criterion 1 & 2) and 3 (criterion 1 & 3) of the SELLP and with Chapter 12 of the NPPF.
- 7.28 Environmental Issues/Amenity
- Paragraph 135 of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.29 Policy 2 of the South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 7.30 Policy 30 of the South East Lincolnshire Local Plan (2019) is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important considerations when considering proposals for planning.
- 7.31 The proposal is located as to comprise a sufficient distance from all properties, not to give rise to an unacceptable amenity impact once operational. In terms of construction, there are likely to be impacts through noise and disturbance; however, the inclusion of a Construction Traffic Management Plan mitigates these impacts and this will be conditioned as part of any permission. Furthermore, it is noted that any adverse harm arising from the construction phase would only be for a temporary and controlled period of time, and would not continue during the operation phase of the development.
- 7.32 Objections have been received on the basis of noise and lighting, as well as disturbance from movements; however, with the addition of appropriate conditionality relating to construction movements, the proposal would accord with Policies 2 and 30 of the South East Lincolnshire Local Plan (2019).
- 7.33 Overall, the proposal is considered to be such that there would be no significant or unacceptable impact on residential amenities or land users, when also taking account of the conditions recommended. There is also no evidence before the Local Planning Authority which suggests or demonstrates that unacceptable noise levels will be generated during the operation phase of the development which would impact upon the amenity of any residential dwelling, primarily due to the extent of the separation distances that would exist. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).
- 7.34 Highway Safety
- Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".
- 7.35 Policy 2 of the South East Lincolnshire Local Plan (2019) details that proposals requiring

planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

- 7.36 Policy 3 of the South East Lincolnshire Local Plan (2019) details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.
- 7.37 Policy 36 of the South East Lincolnshire Local Plan (2019) is concerned with Vehicle and Cycle Parking it states that "All new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6).
- 7.38 The land to the north of the site will accommodate a temporary compound for vehicle parking and related activities, utilising Permitted Development Rights. Vehicle movements associated with the construction of the substation are anticipated to be very low, with a maximum of 4 HGV movements per day. Staff movements are expected to add 10-12 car movements daily, resulting in a total of 20-24 movements per day.
- 7.39 A Construction Management Plan (CMP) has been submitted, alongside a feasibility study assessing two potential access routes to the site. Route 1 (A17-B1515-Branches Lane) has been identified as the most suitable route. Highways have confirmed that a Section 59 inspection under the Highways Act 1980 will be undertaken prior to commencement and upon completion of construction works to ensure that any damage to the public highway caused by construction activities will be remedied by the developer.
- 7.40 Highway improvements are required at the overrun area on the bend south of the site access. These works will formalise the construction access, install kerbing, and renew/realign kerbing on the opposite side of the bend, while also constructing access points to both fields connected to this area. These improvements, along with the site access construction, can be delivered under a Section 278 Minor Works Agreement with Lincolnshire County Council.
- 7.41 Highways have reviewed the proposals and recommended a series of conditions and informatives. Subject to the implementation of these measures, the development is considered acceptable in highway terms.
- 7.42 Overall, the applicant has demonstrated to the satisfaction of the Highway Authority, that the proposed access would be appropriate and would not result in harm or undermine the safety of users of the surrounding highway network, either during the construction phase or during the operation phase of the development. The applicant has also demonstrated that the likely number of vehicle movements that would be generated by the development could be accommodated and absorbed by the existing/surrounding highway network from a capacity perspective with no adverse harm arising.
- 7.43 Whilst this view is not shared by objectors to the application, such concerns are noted to be anecdotal, with no contradictory or tangible evidence or assessment having been presented by objectors which would cast doubt on this assessment or the views of the Highway Authority. Furthermore, it is important to note that an increase in vehicle movements itself does not equate to harm being caused, nor warrant the refusal of a planning application. The key consideration and planning test that must be made, is the extent and impact of any such increase, and whether this would result in demonstrable and severe harm to the highway network from either a safety or capacity perspective as confirmed within Paragraph 116 of the NPPF. There is no evidence to suggest that demonstrable or severe harm would arise as a result of the development.
- 7.44 Accordingly, the applicant has demonstrated that safe and appropriate access could be achieved to the application site. Furthermore, the applicant has demonstrated that capacity exists within the surrounding highway network to absorb and accommodate the likely number of vehicle movements that would be generated. In light of the lack of concern or objection from the Highway Authority, it would be unreasonable to conclude that the proposal would result in severe or adverse harm to the highway network from either a safety or capacity perspective. As such, officers are of the opinion that there is no justifiable reason for the application to be

refused on the grounds of highway safety.

7.45 Accordingly, with the recommended conditions in place, the proposal is considered to accord with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019), as well as Section 9 of the National Planning Policy Framework (December 2024).

7.46 Flood Risk and Drainage

In the case of the current application, it is acknowledged that the application site is located within a Flood Zone 3, being that with the highest risk of flooding and increased flood risk. However, it is noted that the majority of the District is similarly an area of increased flood risk vulnerability. Whilst this does not automatically preclude development proposals being approved, it does require a Local Planning Authority to undertake the necessary sequential test as part of the determination of any such planning application.

7.47 Policy 4 of the South East Lincolnshire Local Plan (2019) sets out the districts approach to flood risk, it states (in part) that Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted, where:

It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed). The sequential test will be based on a Borough or District wide search area of alternative sites within the defined settlement boundaries, unless local circumstances relating to the catchment area for the development justify a reduced search area, i.e. there is a specific need for the development in that location. The sequential test is not required for sites allocated in the Local Plan, minor development¹ or change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site). And:

The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change.

7.48 Sequential Test

In terms of the sequential test the applicant has approached this matter within the FRA. The applicant states that "Under the NPPF all new planning applications should undergo a Sequential Test unless a Minor Development or a change of use application in accordance with paragraph 174 and footnotes 59 and 60." AND "The proposed development is for the siting of a primary substation and as such it is not feasible to locate the infrastructure elsewhere - this is given that the substation is to be constructed to serve the site locality. As such, the sequential test is understood to be unnecessary".

7.49 Planning Practice Guidance (Paragraph 27) on Flood Risk and Coastal Change states that "The sequential test should be applied to 'Major' and 'Non-major' development proposed in areas at risk of flooding, as set out in paragraphs 173 to 174 of the National Planning Policy Framework". Paragraphs 175, 176 and 180 set out exemptions from the sequential test.

7.50 In applying paragraph 175 a proportionate approach should be taken. Where a Site-specific Flood Risk Assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied".

7.51 Of relevance is also NPPF Para. 177 which states "Having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3."

7.52 The EA have made comment and have no objection to this development subject to a condition

that the development is carried out in accordance with the FRA, specifically that 'All vulnerable equipment shall be raised a minimum 1.0 metre above the existing ground levels'. Therefore following the proportional approach set out by Planning Practice Guidance, Paragraph 27, the sequential test is not applied.

7.53 The above considerations are also balanced in the context of the Council's need/requirements to provide strategic growth in terms of housing supply and employment provision to meet the needs of the District and its residents, which is also afforded significant weight in the planning balance.

7.54 Due to the wider public benefits that the scheme would deliver through housing provision and the lack of other reasonably available alternative sites at a similar or lower risk of flooding the LPA are comfortable that this development cannot be located elsewhere and so the proposal is considered to satisfy the sequential test.

7.55 In this regard the proposal can be considered to comply with the requirements of Policy 4 (criterion 1, 2 & 3) of the SELLP.

7.56 *Exceptions Test*

Following a successful sequential test it is then necessary to apply the exceptions test. The exceptions test, as set out in paragraph 178 of the NPPF which sets out:

'To pass the exception test it should be demonstrated that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.'

There are two elements to the Exception Test which must be met before development can be considered appropriate;

- development that has to be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk; and

- the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

7.57 As regards the exceptions test the applicant has stated that the use of the electricity is to serve the local community, which in effect is the purpose of the proposal, whilst providing enhanced resilience and capacity within the local network to deliver strategic economic growth in terms of housing supply and employment provision, which would outweigh the flood risk and satisfy the first part of the exceptions test. It is therefore considered that the development will provide wider sustainability benefits to the community that outweigh flood risk. Secondly the FRA is a robust submission and considers the vulnerability of its users, the impact upon flood risk displacement and the reduction of overall flood risk. The EA and LLFA through not having objections have considered the second part of the exceptions test passed.

7.58 Therefore, as regards the principle of flood risk, the proposal is considered acceptable.

7.59 *Drainage*

The applicant has provided a surface water drainage strategy, it states that due to the rural nature of the site it is understood that there is no public or private sewerage assets currently serving the address. The solution is to divert the surface water captured (from impermeable areas). However, the run off rates cause an issue for the developer, the FRA states that "Given the low greenfield rates (0.14l/s), it is not possible to discharge runoff at this rate due to the increased risk of blockage associated with small diameter flow restriction devices which would be required. Instead, runoff has been restricted to as low as practical, 1.0l/s maximum."

7.60 The IDB, who would be accepting the flows (albeit through a riparian network) have confirmed that consent is required and have stated that:

"The applicant proposes to discharge surface water to a watercourse at a rate of 1l/s. This is in excess of the greenfield rate for the impermeable area only, however I note that the proposed

rate is the minimum possible to reduce the risk of blockages in the system. This proposal will require consent under Byelaw 3. Please note that we recommend that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. A surface water development contribution is likely to be payable as a condition of any consent granted under Byelaw 3 in line with the WMA's Development Control Charges and Fees."

- 7.61 On this basis, the surface water strategy will be controlled through planning conditions. Whilst the IDB state they may not take rates above greenfield, the proposed rate only relates to the impermeable area, much of the site is permeable. Furthermore, should it be required there maybe scope for attenuation to aid flow restriction. On this basis the LPA consider that a strategy could be achieved, and therefore would seek to attach a planning condition.
- 7.62 On this basis it is considered that the wider substantiality benefits to the community brought about by the proposal would not outweigh the risk from flooding. The proposal is therefore in accordance to the aims of Policy 4 of the South East Lincolnshire Local Plan (2019), as well as Paragraph 178a of the National Planning Policy Framework (December 2024).
- 7.63 Ecology & BNG
- Policy 28 of the South East Lincolnshire Local Plan (2019) is concerned with the Natural Environment points 2 and 3 are relevant to this assessment, point 2 is concerned with Nationally or locally designated sites and protected or priority habitats and species and point 3 with addressing gaps in the ecological network.
- 7.64 The applicant has submitted comprehensive ecological surveys to ensure that any potential impacts on protected species and habitats are fully assessed. These surveys have identified potential ecological constraints and have proposed a series of best practice measures and mitigation strategies to be implemented during both the construction and operational phases of the development. The implementation of these measures will be secured through planning conditions tied to the approved plans, ensuring that ecological considerations are effectively managed throughout the lifecycle of the project.
- 7.65 The surveys and associated mitigation proposals have been reviewed and considered acceptable by the LPAs ecologist, who has confirmed that the measures outlined within the reports are adequate to address potential impacts on protected species and their habitats. The ecologist's support provides additional assurance that the development can be carried out without causing unacceptable harm to the natural environment.
- 7.66 In terms of Biodiversity Net Gain (BNG), the applicant has confirmed that the proposed development will achieve a minimum of 10% net gain, to be delivered off-site through the purchase of 1.12 biodiversity units from the Environment Bank. The appointed ecologist has noted that, while there may have been scope for minor refinements within the BNG calculations that could reduce the extent of off-site requirements, the proposed approach is acceptable. The delivery of BNG will be secured through pre-commencement planning conditions, ensuring that the ecological benefits are realised prior to the operational use of the substation.
- 7.67 In addition, the proposed Grampian condition to secure additional landscape plantings to help soften the visual impact of the development if approved, would also add further BNG gains to the proposal once implemented.
On this basis, and taking into account the mitigation measures and off-site BNG provisions, the proposal is considered to accord with Policy 28 of the South East Lincolnshire Local Plan (2019), which seeks to protect and enhance the natural environment, safeguard designated sites, and secure gains for biodiversity where development is permitted.
- 7.68 Archaeology
- Policy 29 of the South East Lincolnshire Local Plan (2019) seeks to ensure that development proposals conserve, enhance, and where appropriate, investigate and record heritage assets, including sites of archaeological interest. The policy states that development will only be permitted where it safeguards heritage assets and, where impacts are unavoidable, ensures appropriate mitigation is secured.

- 7.69 The application site lies in an area with potential for the presence of buried archaeological remains. The Historic Environment Officer (Historic Places Team) has highlighted that the proposed groundworks associated with the construction of the primary substation could result in the total or partial loss of any surviving archaeological deposits.
- 7.70 In accordance with the National Planning Policy Framework (December 2024) (paragraphs 207 and 218), and Policy 29 of the South East Lincolnshire Local Plan (2019), it is considered necessary to understand and record any heritage assets before they are altered or destroyed.
- 7.71 To ensure that any archaeological remains are properly assessed and preserved where possible, or appropriately recorded where preservation in situ is not feasible, a phased archaeological mitigation strategy will be required. This will include, but not be limited to:
- A geophysical survey and geoarchaeological assessment of the site;
 - Archaeological trial trench evaluation to determine the presence, significance, depth, and character of any remains;
 - Implementation of a programme of further archaeological mitigation and recording if remains are identified.
- 7.72 This requirement will be secured through the attachment of a planning condition, in line with the Historic Places Team's standard conditions (AR01, AR02, and AR03), ensuring that all archaeological work is undertaken prior to or during development, as appropriate.
- 7.73 On this basis, the proposal is considered to comply with Policy 29 of the South East Lincolnshire Local Plan (2019), and the imposition of the condition will safeguard the district's archaeological heritage in accordance with national and local planning policy.
- 7.74 **Planning Balance**
- As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 7.75 The proposal seeks full planning permission for the construction of a new strategic primary substation to support and improve the electricity distribution network serving Holbeach and the surrounding area, which presently does not have sufficient capacity to support existing business growth, or to deliver economic and housing delivery growth for the area and its residents. The development is promoted by National Grid Electricity Distribution (NGED) in response to identified constraints and forecasted demand on the existing infrastructure, which has been evidenced by South Holland District Council and confirmed by the Strategic Growth Team.
- 7.76 The Network Development Report confirms that without intervention, the existing substations at Holbeach and Long Sutton would be at risk of overloading by 2028, with further network strain predicted by 2034. The proposal therefore represents essential utility infrastructure, directly supporting the area's residential, commercial and employment growth objectives. This position is confirmed by the Councils Officers.
- 7.77 The development is located within the open countryside where new development is typically restricted. However, Policy 1 of the South East Lincolnshire Local Plan (2019) allows for proposals that are necessary in such locations and that meet the area's sustainable development needs. As demonstrated, a countryside location is functionally and operationally essential for this type of infrastructure, having regard to safety, isolation, and network connectivity requirements. The site has been selected following an extensive site search by the National Grid (now NGED). Furthermore, the proposal would deliver significant economic and community benefits through this enhance infrastructure. The principle of development is therefore supported and in accordance with the requirements of the local plan.
- 7.78 In landscape and visual terms, the proposal would inevitably introduce built form and associated infrastructure into an open rural setting. However, the design of the proposed building would largely mirror that of a modern agricultural barn, which is a common feature throughout the district and is visually appropriate in a rural location. The LVIA identifies moderate adverse effects from certain viewpoints, notably from Branches Lane and the nearby public footpath.

Whilst some visual harm will occur, this is localised and mitigated through the proposed landscaping, including new planting, a swale and raingarden. Further mitigation can be secured by condition requiring a detailed landscaping scheme prior to operation. Given the functional nature of the use, its siting within an established utility corridor, and the application site not within a specially designated or protected landscape, the overall landscape effects are considered acceptable and would not result in significant harm to the character or visual appearance of the wider area.

- 7.79 Residential amenity impacts are limited. The substation will operate without regular staff presence and with low noise output once operational. Construction impacts can be managed through the submitted Construction Traffic Management Plan and controls over working hours. Subject to conditions, the development would not give rise to unacceptable impacts upon nearby occupiers, consistent with Policies 2 and 30 of the South East Lincolnshire Local Plan (2019).
- 7.80 Highway impacts have been fully assessed by Lincolnshire County Council as the Local Highway Authority, which raises no objection to the proposal. The proposed access arrangements, routing strategy and low level of HGV movements are considered acceptable. Necessary highway improvements and a Section 278 agreement will ensure the local network is appropriately safeguarded. On this basis, no severe residual cumulative impacts are identified, and the proposal accords with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and paragraph 116 of the National Planning Policy Framework (December 2024).
- 7.81 In flood risk terms, the site lies within Flood Zone 3; however, the Environment Agency has confirmed that the development is acceptable subject to the implementation of the mitigation measures in the submitted Flood Risk Assessment, including elevating vulnerable equipment. The nature of the proposal is such that its siting is functionally fixed to serve a defined catchment. Applying the proportionate approach in Planning Practice Guidance paragraph 27, the sequential test need not be applied. The exceptions test is satisfied as the scheme provides clear public and sustainability benefits, including network resilience and future capacity for local growth, and the development will be safe for its lifetime without increasing flood risk elsewhere.
- 7.82 Ecological assessments confirm no significant harm to protected species or habitats, with mitigation secured by condition. The applicant has committed to securing at least 10% biodiversity net gain through the purchase of off-site units via the Environment Bank. Subject to the relevant pre-commencement conditions, the proposal complies with Policy 28 of the South East Lincolnshire Local Plan (2019).
- 7.83 Taking the above together, while the proposal would result in some localised visual impact and development within the open countryside, these impacts are limited in extent and can be satisfactorily mitigated. The proposal would deliver substantial public benefits through the provision of critical energy infrastructure necessary to support sustainable growth and maintain reliable power distribution across Holbeach and the surrounding settlements.
- 7.84 In applying the planning balance required by paragraph 12 of the National Planning Policy Framework (December 2024) and Section 38(6) of the Planning and Compulsory Purchase Act 2004, the limited harm identified is clearly outweighed by the significant social, economic and environmental benefits of the development. The proposal therefore represents sustainable development in accordance with the Framework and the development plan when read as a whole.

7.85 **Additional Considerations**

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking

steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.86 Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

7.87 **Conclusion**

Taking the above into account, the proposal would accord with Policies 1, 2, 3, 4, 28, 29, 30 and 36 of the South East Lincolnshire Local Plan (2019), and the corresponding provisions of the National Planning Policy Framework (December 2024). In this instance a balanced decision has been arrived at, and notwithstanding the landscape impacts of the development, the broader public benefits of this scheme result in the recommendation to approve the development.

8.0 **RECOMMENDATIONS**

8.1 The recommendation is to approve the application subject to planning conditions.

9.0 **CONDITIONS**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

B-24-0043/006 Rev A - Temporary Compound Swept Path Analysis
B-24-0043/010 - Access Road to Temporary Construction Compound
22007610_PLN_LOC_5.1_B - Location Plan
22007610_PLN_SI_6.1_D - Proposed Site Layout Plan
B-24-0043-COTMP-01 - Construction & Operational Traffic Management Plan
LN113_12_0003 Rev C - Proposed Site Elevations
LN113_12_0004 Rev A - Proposed 11KV Building Plan & Elevations
B-24-0043/001 Rev C - Site Access Arrangement
B-24-0043/004 Rev B - General Access Arrangement OS & Satellite Overlay
B-24-0043-TN-01 - Construction Traffic Route Review (07 July 2025)
June 2023 - Preliminary Ecological Appraisal
August 2023 - Arboricultural Impact Assessment & Method Statement
AEG0931_PE12_South_Holland_07 - Flood Risk Assessment & Surface Water Drainage Strategy
April 2025 - Biodiversity Assessment
MH8811 Holbeach LVIA
MH8811 Holbeach LVIA - Landscape & Visual Impact Assessment (LVIA) - October 2024
B-24-0043-TN-01 - Construction Traffic Route Review
Issue 1 - October 2025 - National Fire Chiefs Council Planning Guidance Compliance Report - Holbeach Electrical SubStation

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development shall be carried out in accordance with the submitted flood risk assessment dated 27 March 2025, ref: 'AEG0931_PE12_South_Holland_07', prepared by Aegaea and the following mitigation measures it details:

- All vulnerable equipment shall be raised a minimum 1.0 metre above the existing ground levels.

These mitigation measures shall be fully implemented and shall be retained throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development.

This condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan 2019

4. No part of the development hereby permitted shall be occupied before the works to improve the public highway, by means of formulating the overrun area to the south of the site on the bend, inclusive of the two access points to the fields and kerbing, realignment and installation of new kerbs on the other side of the bend and the access construction to the site, have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

This condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019

5. Prior to the commencement of any part of the development hereby permitted, the condition of the parts of Branches Lane, that will be used by vehicles making deliveries of materials and components to the permitted development, shall be recorded by written notes, still and representatives, in the company of an officer of the Local Highway Authority. Those public roads shall be maintained, at the cost of the Applicants, in a safe and suitable condition throughout the construction phase of the permitted development and shall be reinstated to no less than the standard of their pre-commencement condition following completion of the construction phase.

Reason: To ensure the provision of safe and adequate means of access.

This condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019

6. The development hereby approved shall be carried out in complete accordance with the Construction & Operational Traffic Management Plan (B-24-0043-COTMP-01).

Reason: To ensure the safety of existing and future users of the highway and in the interest of amenity.

This condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

7. No development shall take place until a written scheme of archaeological investigation (WSI), for the archaeological evaluation phase, has been submitted to and approved in writing by the Local Planning Authority.

This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. An assessment of significance and proposed strategy for evaluation
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

The archaeological site work shall only be undertaken in accordance with the approved written scheme of archaeological investigation (WSI).

Note: This WSI applies solely to the evaluation phase.

Reason: To ensure and secure the appropriate preparation and archaeological evaluation, prior to development, in compliance with Section 16 of the National Planning Policy Framework, December 2024. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and Section 16 of the National Planning Policy Framework, December 2024.

8. The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 7 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in compliance with Section 16 of the National Planning Policy Framework, December 2024.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and Section 16 of the National Planning Policy Framework, December 2024.

9. The development hereby permitted shall not be occupied or first brought into use, until a copy of the final report required in connection with the approved written scheme of investigation, as required by Condition 7, is submitted to and approved in writing by the Local Planning Authority. This final report shall also be submitted to the Lincolnshire Historic Environment Record within three months of completion of the work.

The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording and archiving of possible archaeological remains in compliance with Section 16 of the National Planning Policy Framework, December 2024.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and Section 16 of the National Planning Policy Framework, December 2024.

10. No development hereby permitted shall be carried out, other than those works detailed in accordance with the written scheme of investigation approved under Condition 7, until a separate Archaeological Mitigation Strategy for the mitigation phase, has been submitted to and approved in writing by the Local Planning Authority; unless the evaluation undertaken under Condition 7 explicitly demonstrates that archaeological mitigation is not required.

The Archaeological Mitigation Strategy shall set out:

1. The scope and methodology of the mitigation (e.g. strip, map and record, excavation, monitoring)
2. Provision for analysis, reporting, publication and dissemination
3. Provision for archive deposition
4. Nomination of a competent organisation to undertake the work
5. Compliance with the Lincolnshire Archaeological Handbook

The archaeological mitigation shall be undertaken in accordance with the approved Archaeological Mitigation Strategy, and shall be completed in its entirety prior to the first occupation or use of the development hereby permitted.

Reason: To ensure that any archaeological remains are appropriately mitigated in compliance with Section 16 of the National Planning Policy Framework (December 2024) and Policy 29 of the South East Lincolnshire Local Plan, 2019.

This condition is imposed in accordance with Section 16 of the National Planning Policy Framework, December 2024 and Policy 29 of the South East Lincolnshire Local Plan (2019).

11. The development hereby permitted shall not commence until a biodiversity gain plan has been submitted to and approved in writing, by the Local Planning Authority. The development shall then be carried out in accordance with the details as approved.

Reason: To comply with Schedule 7A of the Town and Country Planning Act (1990, as amended).

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019.

12. Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the Site in question shall be submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain:

- A) Aims, objectives and targets for management, including habitat target conditions matching the Statutory Biodiversity Metric submitted with the application.
- B) Details of the phasing and implementation of the habitats
- C) Details of the management operations necessary to achieving aims and objectives.
- D) Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.
- E) Details of the monitoring needed to measure the effectiveness of management and details of an assessment as to whether the target condition is achieved within the time to target period specified within the approved metric.
- F) Details of the persons responsible for the implementation and monitoring.
- G) Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.
- H) Reporting on the delivery of on-site gains on years 1, 2, 5, 10, 20 and 30 following the implementation of the habitats in accordance with the above details.

Reason: To meet the requirements in delivering the Mandatory Biodiversity Net Gain and to ensure net gain in biodiversity is provided on site.

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019.

13. Before the first use of the development hereby permitted, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2024.

14. Before the first use of the development hereby permitted, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance.

Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses, in the opinion of the Local Planning Authority, shall be made good as and when necessary.

NOTE: The submitted landscaping proposals shall demonstrate that Biodiversity Net Gain will be achieved on site, using the Biodiversity Metric 3.1 (or any successor).

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set, and that Biodiversity Net Gain will be achieved. This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

15. Prior to the first use, details of the proposed boundary treatments, other than those permitted by this development, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

16. The applicant is reminded that it is an offence under the Wildlife and Countryside Act, 1981 (as amended) to kill, injure, or take (handle) any protected species occupying a place of shelter or protection and also to take, damage or destroy the nest of any wild bird while that nest is in use or being built. If evidence of bats is found before or whilst the work is carried out you are advised to contact Natural England at their Lincoln office (telephone 03000 603900).

17. **Biodiversity Net Gain**

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

The effect of Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Holland District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP before development is begun). This is over and above the information submitted and considered as part of this application, and will be required before development is begun, because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

For guidance on the contents, in respect of the details that must be submitted and agreed by the Local Planning Authority, prior to the commencement of the consented development, please see the GOV.uk website and Planning Practice Guidance.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

For clarity, the Local Planning Authority do not consider that any of the exemptions apply in this case. As such, the development hereby permitted will be subject to the biodiversity gain condition.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

For clarity the LPA do not consider that irreplaceable habitats are present at this site.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where

- (a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and
- (b) the conditions subject to which the planning permission is granted:
 - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

18. In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.
19. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

For further guidance please visit:

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

20. The highway improvement works referred to in Condition 4 are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.
21. 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, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

Background papers:- Planning Application Working File

Lead Contact Officer

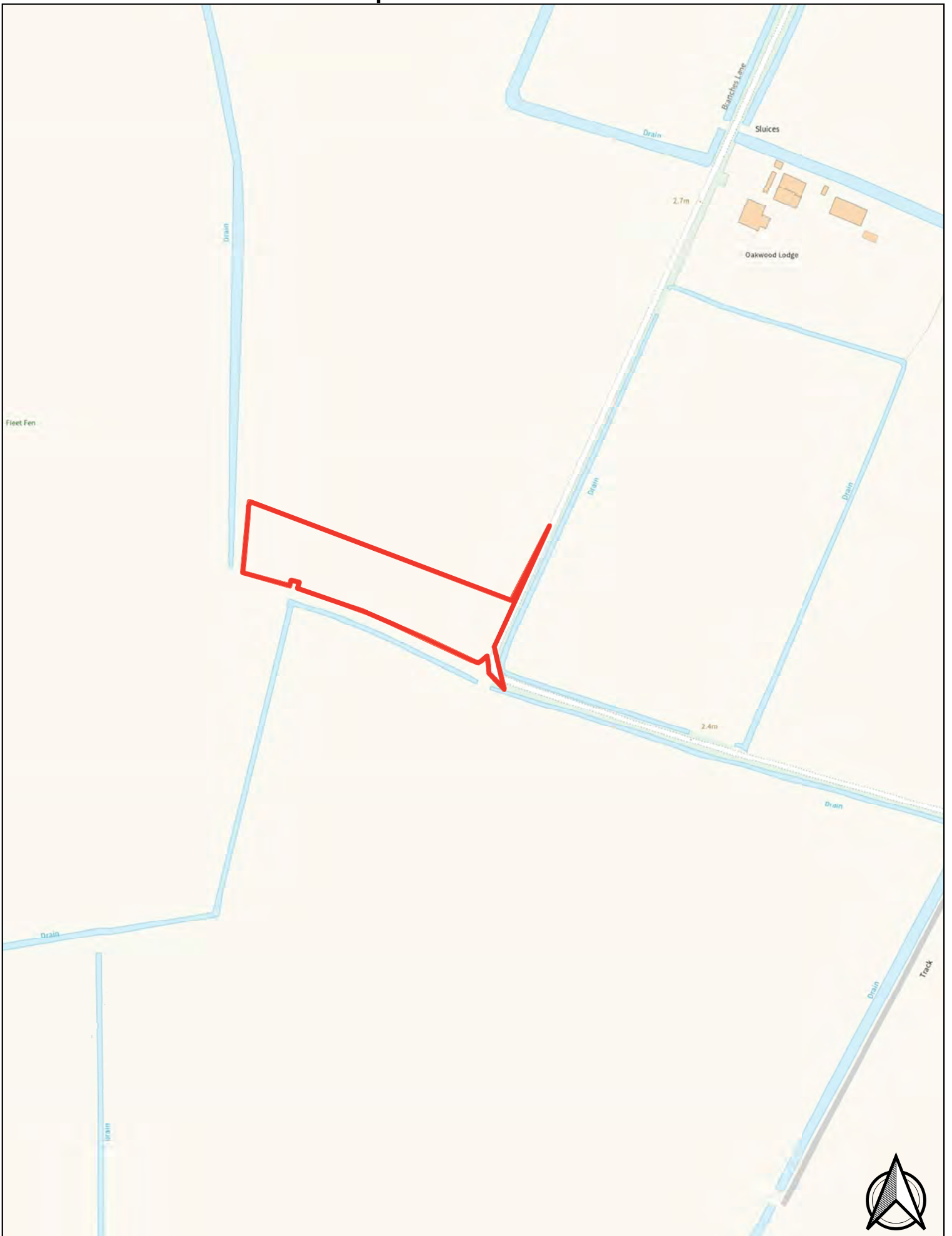
Name and Post: Nick Atkinson , Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:

Email nick.atkinson@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A



Agenda Item 6.

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Lead Development Management Planner (Interim) - BBC & SHDC

To: Planning Committee - 07 January 2026

(Author: Mark Niland - Planning Officer)

Purpose: To consider Planning Application H16-0854-25

Application Number: H16-0854-25

Date Received: 10 September 2025

Application Type: SEC 73 MODIFICATION

Description: Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas - Approved under H16-0462-24. Modification to Condition 2 to allow amendments to previously approved plans & modification to Conditions 3, 7 & 25 to allow amendment to wording

Location: Castle Sports Complex Albion Street Spalding

Applicant: South Holland District Council **Agent:** JEH Planning Ltd

Ward: Spalding Castle **Ward Councillors:** Cllr G J Taylor

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0854-25>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The proposal which is presented before committee is a Section 73 application. It requires consideration by committee because the application site is a major development and on council owned land.

2.0 PROPOSAL

2.1 This is an application made under Section 73 of the Town & Country Planning Act 1990 (as amended). Planning permission was achieved under planning application H16-0462-24, for:

Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas.

2.2 Background

2.3 Planning permission was granted in January 2025 for the redevelopment and expansion of Castle Sports Centre, including demolition of the existing swimming pool and construction of a new leisure hub comprising two new pools, reconfigured indoor sports and fitness facilities, outdoor play and recreation areas, and a new 3G pitch, together with associated access, parking and landscaping. The approved scheme forms part of a wider masterplan, including a future extra-care development on the site of the demolished pool, and was developed with Levelling Up funding to deliver enhanced health, wellbeing and community leisure provision for Spalding and the wider district.

2.4 This application seeks to make amendments to that approval, which include *Modification to Condition 2 to allow amendments to previously approved plans & modification to Conditions 3, 7 & 25 to allow amendment to wording.*

2.5 Key Proposed Changes

2.6 *Car Parking Reconfiguration*

The approved extension of the eastern (E1) car park is no longer proposed due to a boundary condition and ownership issues identified during detailed design. While this results in a reduction of parking in this location, some rationalisation adjacent to the building frontage is achieved. Additional provision is now incorporated within the western (E2) car park and the revised coach and drop-off area, resulting in an overall amended parking total including disabled and EV spaces.

2.7 *Phasing Review and Condition 3*

The development is now intended to be delivered across four phases to reflect construction sequencing and funding requirements, leading to variations in available parking capacity during each phase. Condition 3 is therefore proposed to be amended and split to allow first occupation of Phase 1 in advance of the completion of the later parking areas, without altering the overall access and parking strategy of the scheme.

2.8 *Internal Building Amendments*

A series of minor internal alterations are proposed to the approved Hub building, including localised adjustments to activity and circulation space, changing village layout, pool viewing, plant and chemical store configuration and fire escape routing. These changes do not alter the intended function, scale or capacity of the approved indoor facilities.

2.9 *External Building Amendments*

Minor changes are proposed to external elements of the building, comprising revisions to external stairs and roof plant, relocation of ASHP units, and modest amendments to glazing, doors, cladding and rooftop ventilation features. The previously approved removal of the canopy is reflected within the amended drawings.

2.10 *Other External Layout Changes*

The splashpad is proposed to be relocated into the outdoor play zone and the Health and Wellbeing Garden has been simplified through detailed design, without materially altering the approved outdoor recreation offer.

2.11 *Condition 25 - Access for fire appliances and associated equipment.*

The applicant is seeking this condition to be time phased for 'prior to occupation' rather than precluding any development.

3.0 SITE DESCRIPTION

- 3.1 The application site is located within the settlement limits for Spalding, the site extends across the existing Castle Sports Centre and surrounding playing fields. It wraps around the existing bowls club and green to the south east of the site. The application site is not within but abuts the Spalding conservation area boundary to the east, west and south.
- 3.2 Surrounding land uses are predominantly residential to the west with Tulip Academy bordering the site to the north and some small-scale commercial to the south.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 4 - Approach to Flood Risk
Policy 5 - Meeting Physical Infrastructure and Service Needs
Policy 28 - The Natural Environment
Policy 29 - The Historic Environment
Policy 31 - Climate Change and Renewable and Low Carbon Energy
Policy 32 - Community, Health and Wellbeing
Policy 36 - Vehicle and Cycle Parking
Appendix 6 Parking Standards

- 4.2 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.3 National Guidance

National Planning Policy Framework (NPPF), 2024

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

- 5.1 H16-0621-24- Construction and operation of a micro energy storage facility - Approved 19th September 2024
- 5.2 H16-0591-25 - Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas - Approved under H16-0462-24. Amendments to omit proposed parapet wall that features on the east and north elevations of the existing leisure centre building & omission of proposed canopy on the south elevation. Approved 11-07-25
- 5.3 H16-0462-24 - Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an

outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas. Approved 17-01-25

- 5.4 H16-0425-25 - Details of method statement for demolition and/or construction, construction management plan & method statement, foul water drainage works, employment, skills & local procurement strategy, archaeological work including written scheme of investigation & community use agreement (CUA) (Conditions 4, 5, 10, 15, 19 & 22 of H16-0462-24). Approved 23-07-25
- 5.5 H16-1098-25 - Details of samples of all materials to be used in the construction of external surfaces, full hard & soft landscaping plan, biodiversity gain plan & habitat management & monitoring plan (HMMP) & access for a fire appliance & associated equipment (Conditions 11, 12, 21 & 25 of H16-0462-24). Pending
- 5.6 H16-0742-25 - Details of surface water drainage scheme, foul water drainage scheme and details of a bespoke offsite ecological compensation package that achieves habitat units (Conditions 7, 10 & 20 of H16-0462-24). Approved 26-09-25

6.0 REPRESENTATIONS

6.1 Consultees

6.2 Anglian Water

We have reviewed the submitted drainage documents submitted with the above application and the applicant makes no changes to the already previous agreed foul drainage strategy for the development site which is to connect to Anglian Water network 225mm foul sewer strategy. For the Trade effluent flows this pump rate at restricted 6l/s 12m³ per day. For the domestic flows, the pump rate and on-site balancing to be determined by the pump manufacturer. Trade effluent and domestic foul flows - a max peak discharge rate of 10 litres per second is acceptable to the 225mm public foul sewer at a suitable location near manhole ST25 TF25220903 located in The Green. As the applicant is not proposing to make changes to the above, we have no objections to this application.

In relation to the surface water amendments: the proposed surface water strategy is to convey surface water to the IDB water course to the north of the site. The discharge rate will be limited to Qbar greenfield rate of 1.6l/s for all storm events up to and including the 1 in 100 year +25% climate change event. Therefore, we are unable to make comment on the modifications, condition wording amendments and discharge of condition related to surface water strategy as this is outside of our jurisdiction to make comments

6.3 Welland & Deepings IDB

No comments received

6.4 Environment Agency

We did not recommend the conditions referred to on application H16-0462-24 and therefore have no comment to make on this application. However, if you believe you do need our advice, please call me on the number below.

6.5 Highways & SuDs Support

No objection - The proposal is for minor amendments to condition 3 that already has approval under H16- 0462-24. Adequate justification has been provided in the Transport Technical Note dated 31- 07-2025. The minor amendments proposed will not have an adverse impact upon the public highway or surface water flood risk. The proposal is for minor amendments to condition 7 that already has approval under H16- 0462-24. The minor amendments proposed will not have an adverse impact upon the public highway or surface water flood risk.

6.6 National Gas Transmission

Regarding planning application H16-0654-25: Castle Sports Complex there are no National Gas

assets affected in this area.

6.7 Crime Prevention Officer

Lincolnshire Police do not have any objections to this development

6.8 Active Travel

No comment

6.9 Sport England

Sport England has no objections to this application as it is considered to accord with exception 5 and paragraph 104 of the NPPF provided that the conditions listed below continue to be attached to the decision notice if the Council is minded to approve the Section 73 application. With regards to the proposal to amend the approved Site Phasing Plan with the details shown in Drw No: DR-A-0105 Rev P06, as Condition 23 attached to the decision notice for permission ref: H16-0462-24 makes reference to the previously approved Site Phasing Plan, this condition should be updated to reflect the revised version of the plan submitted under this Section 73 application.

6.10 Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

6.11 Historic Places Team

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request. Also, No objection to "Modification to Condition 2 to allow amendments to previously approved plans & modification to Conditions 3 & 7 to allow amendment to wording"

6.12 Conservation Officer

No comment

6.13 Environmental Health

The acoustic attenuation measures proposed, by the use of approved acoustic fencing, are acceptable. please provide details of the technical specifications for the proposed pitch side lighting columns to ensure that this does not give rise to light nuisance to nearby properties

6.14 **Representations**

This application has been publicised in accordance with the Development Management Procedure Order 2015 (as amended). No letters of public representation or objections have been received following the advertisement of this planning application.

7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

7.2 Evaluation

7.3 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.4 In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

7.5 The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.6 Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals.

7.7 In this instance, no relevant neighbourhood plans have been adopted.

7.8 Evaluation - Section 73

7.9 The proposal relates to the variation of Condition 2, 3, 7 & 25 of H16-0462-24 through seeking permission under Section 73 of the Act. The purpose of an application made under Section 73 of the Town and Country Planning Act 1990 is to vary or remove conditions associated with an existing planning permission. These applications are used to allow for amendments to an approved scheme and can be made both retrospectively and prior to a permission being implemented, as long as the permission is extant.

7.10 The Act is very clear that: "On such an application the Local Planning Authority shall consider only the question of the conditions subject to which planning permission should be granted." As such, the Local Planning Authority are not able to revisit the principle of development and only matters relevant to the specific conditions can be considered.

7.11 The effect of granting permission would be to issue a new permission with the conditions varied, together with any other relevant conditions from the original permission, or subsequent relevant revisions since this permission.

7.12 Planning practice guidance highlights that where less substantial changes are proposed, amending a proposal can occur through 'Amending the conditions attached to the planning permission, including seeking to make minor material amendments'. The PPG clarifies that "Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions.

7.13 The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted".

7.14 There is no statutory definition of a 'minor material amendment'; but this is likely to include any amendments where its scale and/or nature results "in a development which is not substantially different from the one which has been approved". In the case of R (Vue Entertainment Limited) v City of York Council, it was concluded that the decision gives clear support for use of s.73 in respect of changes to conditions which go beyond 'minor' amendments.

7.15 It places a clear emphasis on preserving the precise terms of the grant. If an amendment to a condition can be made which keeps the description of the development intact it may well be appropriate to make such an application under a s.73, even if the affect of the change will be significant".

7.16 Planning Considerations

This application has been submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) and seeks approval for a series of amendments to the previously consented scheme. The full detail of the proposed changes is set out earlier in this report, but in summary they relate to revised car parking arrangements; updated phasing and associated amendments to Condition 3; minor internal and external building alterations; non-parking external layout adjustments; the proposed splitting of Condition 7 to reflect separate surface water drainage systems; updated Biodiversity Net Gain calculations; and amendments to Condition 25 concerning access for fire appliances.

7.17 As a Section 73 application, the principle of the already-approved development remains established and does not fall to be reconsidered in principle terms. The assessment is therefore confined to the acceptability of the proposed amendments in planning terms and whether the revised conditions continue to ensure that the development remains policy compliant.

7.18 Accordingly, the key material considerations for this application are:

- Highway Safety and Parking Provision
- Phasing and Delivery
- Character, Appearance and Built Form
- Historic Environment
- External Layout Changes (Non-Parking)

7.19 Highways Safety and Parking Provision

7.20 SELLP Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

7.21 SELLP Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

7.22 Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. It advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.23 Due to its town centre location, the site is highly accessible by a variety of sustainable transport modes, including walking, cycling and public transport, with a regular bus service located adjacent to the main site access on Albion Street. The proposed development will retain Albion Street as the primary vehicular access, while school buses and minibuses accessing the new swimming pool will continue to use Pinchbeck Road/Forge Close. A new turning and drop-off facility is proposed at the end of Forge Close to accommodate these vehicles safely.

7.24 Car parking has been carefully configured to meet the operational needs of the development. The eastern car park serving the Health & Wellbeing Hub will be reconfigured and extended to the south-east, while additional parking is provided to the south of the site, accessed from Pinchbeck Road/Forge Close, primarily to serve the Artificial Turf Pitch. In total, 153 on-site parking spaces are proposed, including provision for disabled and electric vehicle spaces to make the development more accessible. The level of parking provision proposed is appropriate for the location and nature of the site with no concerns of objections having been raised to the changes by the Highway Authority. The site layout does not create a through-route for vehicles between Albion Street and Pinchbeck Road, but dedicated footpath and cycle links are provided to maintain connectivity.

7.25 Service and operational access has also been addressed. A private service road and turning area will provide access to the new plant room for the swimming pool, and the scheme has been designed to respect existing access arrangements for neighbouring uses, including the Air Cadets building and the Outside Bowls area.

- 7.26 The Transport Assessment confirms that the development will not have an adverse impact on highway capacity or local junctions. Travel plan initiatives are proposed to encourage sustainable travel, and the revised parking arrangements, supported by off-site parking availability, are sufficient to accommodate expected demand. Noise and operational impacts from vehicle movements are mitigated through the proposed layout, ensuring compliance with Local Plan transport and noise policies and the NPPF.
- 7.27 Highways have been consulted and stated that. "The proposal is for minor amendments to condition 3 that already has approval under H16- 0462-24. Adequate justification has been provided in the Transport Technical Note dated 31-07-2025. The minor amendments proposed will not have an adverse impact upon the public highway or surface water flood risk."
- 7.28 The revised phasing is supported by updated parking proposals, with parking provision now controlled through the approval of amended plans and secured via phase-specific conditions. These conditions ensure that the necessary parking for each stage of the development is delivered and made available prior to that phase being brought into use. Although the layout has been reorganised, overall parking levels remain appropriate and acceptable, and the continued use of existing access points ensures no material change in highway operation, including greater accessible parking provision. Accordingly, Lincolnshire County Council Highways has confirmed it has no objection to the proposed amendments.
- 7.29 On this basis the proposed minor alterations would continue to result in no adverse harm being caused to the local highway network from a safety or capacity perspective, and would continue to accord with policies 2, 3 and 36 of the South East Lincolnshire Local Plan as well as section 14 of the National Planning Policy Framework, December 2024.
- 7.30 Phasing
- 7.31 Delivery of the consented scheme is closely linked to the successful award of Government Levelling Up Fund (LUF) grant, which provides £20m towards the total project cost of approximately £26m and requires the Council to meet defined milestones within the project programme. The project is being delivered in accordance with a Memorandum of Understanding with Government which includes regular monitoring and reporting obligations. The funding profile has recently been renegotiated, allowing expenditure to be carried into the 2026/27 financial year with a revised end date of 31 March 2027.
- 7.32 An estimated construction period of approximately 18 months results in relatively tight timescales when considered alongside the planning, procurement and funding processes. It is therefore essential that planning requirements are progressed in a timely manner in order to avoid delay to the funding drawdown and associated programme. The overall development has been structured around a four-phase delivery programme reflecting both construction sequencing and funding conditions.
- 7.33 -**Phase 1** comprises the Health and Wellbeing Hub, the new 3G pitch, running/cycle track and the revised E1 parking area.
 -**Phase 2** provides for the demolition of the existing swimming pool, enabling subsequent phases and facilitating the future extra care scheme.
 -**Phase 3** delivers the outdoor play and informal games areas together with the E2 parking, additional parking areas and revised coach turning/drop-off arrangements.
 -**Phase 4** provides for the extra care housing scheme, for which outline consent has been secured as part of a separate application.
- 7.34 Although the extra care element does not form part of the LUF funding, the current proposals play an enabling role by providing a cleared and serviced site through demolition and remediation, thereby improving delivery certainty and supporting long-term community benefit. The proposed phasing is considered to be appropriate and acceptable in order to deliver the benefits of the overall scheme, and would result in no resultant harm being caused.
- 7.35 Character and Amenity (building amendments)
- 7.36 Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be

acceptable. Policy 2 point 1 states that proposals should meet sustainable development considerations specifically in relation to "size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses."

- 7.37 Policy 2 and of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 7.38 Policy 3 sets out the 'Design of New Development'; in part it states that "Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable."
- 7.39 Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.
- 7.40 NPPF Paragraph 187(b) is relevant; it states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 7.41 The proposed internal and external amendments are minor in nature and are intended to improve the operational efficiency and functionality of the approved building without altering its overall size, massing or primary volumes. Internally, the activity zone wall has been straightened to create a larger and more comfortable entrance foyer and crush space; importantly, the size of the activity zone itself is unaffected. Access to the sports hall has been repositioned so that it is now closer to the main entrance, improving circulation, while the pool viewing area has been enlarged to provide better spectator provision.
- 7.42 Within the village change area, the layout has been refined to improve accessibility and user flow. Two accessible changing rooms have been relocated to the northern side of the area adjacent to the group changing rooms, and the WCs and showers have been moved closer to the pools, adjacent to the pre-swim showers. Additional refinements include adjustments to the external stair arrangement and updates to the lift plant and plant/deck roof configuration.
- 7.43 External materials are being considered separately under pending application H16-1098-25 and remain subject to full control through planning conditions. It is anticipated that Phase 1 materials will be secured through that application, with materials for the remaining phases (including Phase 4) requiring subsequent approval by the Local Planning Authority through appropriate conditions.
- 7.44 Given the limited and largely operational and minor nature of these amendments, and noting that the overall design, scale and appearance remain consistent with the previously approved scheme, the changes are considered to comply with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, and would not discernibly alter the previously approved scheme.
- 7.45 Historic Environment
- 7.46 Policy 29 of the South East Lincolnshire Local Plan requires development to preserve and, where possible, enhance the historic environment, including designated and non-designated heritage assets. Although the application site does not fall within the Spalding Conservation Area, it directly abuts its boundary to the east, west and south. Accordingly, the potential for the proposed amendments to affect the setting and significance of the Conservation Area has been carefully assessed.
- 7.47 The amendments sought through this Section 73 application consist predominantly of minor internal reconfiguration, modest external adjustments, and changes to parking layout and phasing. None of these modifications alter the approved building volumes, height, massing, or the overall external form of the scheme previously considered acceptable in heritage terms. The relationship of the development to the Conservation Area therefore remains unchanged.

- 7.48 The Historic Places Team and Historic England have both confirmed that the proposed amendments do not give rise to concerns regarding impact on the historic environment. Historic England has not offered specific comment, advising that the proposals do not raise issues requiring their intervention. The Historic Places Team has confirmed that the updated layout and design details are unlikely to have any effect on significant archaeological remains, and that no further archaeological input is required unless material changes arise.
- 7.49 External materials remain subject to existing and proposed planning conditions, ensuring continued control over the appearance of the development as it relates to the character of the conservation area. Phase 1 materials will be secured under application H16-1098-25, with materials for later phases to be submitted and approved by the Local Planning Authority.
- 7.50 Given the nature and limited scale of the amendments proposed, and noting that the approved design, scale and appearance of the wider scheme remain unaffected, the development is considered to preserve the setting, appearance, character and significance of the adjacent Conservation Area. The proposal therefore accords with Policy 29 of the South East Lincolnshire Local Plan and relevant provisions of the National Planning Policy Framework relating to the conservation and enhancement of the historic environment with no harm being caused to the historic built environment as a result of these minor alterations to the previously approved scheme.
- 7.51 Surface Water Drainage
- 7.52 Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns. The site lies within Flood Zone 3 of the Environment Agency's Flood Maps.
- 7.53 Surface water from both the main development and the new Artificial Grass Pitch (AGP) will be discharged to the adjacent watercourse at controlled greenfield runoff rates. The scheme utilises two independent surface water drainage systems, one serving the Health and Wellbeing Hub and associated facilities, and the other serving the AGP. Sustainable Drainage System (SuDS) features across the site include permeable paving, a lined swale, a lined attenuation basin and underground storage, all designed to accommodate runoff and appropriate climate change allowances.
- 7.54 The original permission required a detailed surface water drainage strategy to be submitted and approved by the Local Planning Authority. This was subsequently discharged under application H16-0742-25. The Section 73 application does not seek to alter the approved strategy for the main development; however, because the AGP is to be delivered by a separate contractor, a degree of technical flexibility is necessary to allow for a standalone AGP drainage design to come forward at the appropriate stage.
- 7.55 To secure this arrangement, the drainage condition is to be divided into two parts:
·a compliance condition confirming adherence to the approved drainage strategy for the main development, and
·a separate condition requiring a detailed AGP-specific surface water drainage scheme to be submitted to and approved in writing by the Local Planning Authority. This will sit within the AGP condition and details will be required prior to its first use.
- 7.56 This approach maintains full control over site-wide drainage while enabling practical delivery of separately phased construction elements.
- 7.57 Foul drainage will connect by gravity into the existing Anglian Water combined sewer in Albion Street, with Anglian Water confirming that no changes to the previously accepted foul strategy are proposed.
- 7.58 No objections have been raised by the Lead Local Flood Authority, Internal Drainage Board or Anglian Water. Subject to the updated conditions described above, the proposal is considered to continue to be satisfactorily drained and thus accord with Policy 4 of the South East Lincolnshire Local Plan and the requirements of Section 14 of the National Planning Policy Framework.

- 7.59 Biodiversity Net Gain
- 7.60 Policies 28 and 31 of the Local Plan ensure the preservation and enhancement of the natural environment and that suitable mitigation and adaptation to the climate crisis is in place.
- 7.61 Policy 28 also requires proposals to provide a net gain in biodiversity. Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) introduced the requirement for applications to establish a 10% Biodiversity Net Gain (BNG), demonstrated through standard units.
- 7.62 Section 15 of the NPPF promotes the conservation and enhancement of the natural environment. Paragraphs 187 and 192 ensure sites of biodiversity value are protected through the planning system.
- 7.63 Updated ecological survey work confirms that the development is unlikely to have effects on nearby designated sites and that ecological impacts are confined to the application site. No priority habitats or protected species were recorded, other than low-value ornamental hedging, and bat activity surveys confirmed the absence of roosts. Mitigation measures, adherence to construction best practice and the delivery of new green infrastructure will secure biodiversity enhancement opportunities.
- 7.64 Biodiversity Net Gain (BNG) is being considered under reference H16-1098-25. Updated calculations indicate that the revised scheme would deliver a 1.33% net gain in area habitats but a 14.51% net loss in linear hedgerow habitats, meaning the statutory 10% requirement is not met on-site. To reach compliance, an additional 2.79 area habitat units and 0.05 linear habitat units would be required, either through on-site amendments or recognised off-site offsetting. The proposed landscaping is capable of refinement, and the applicant has an existing agreement with the Environment Bank to secure off-site units if needed, ensuring deliverability.
- 7.65 Appropriate conditions will be imposed to secure a Biodiversity Gain Plan and a Habitat Management and Monitoring Plan at suitable trigger points. Given that Phase 1 comprises the renovation of existing buildings and associated hardstanding, it is appropriate that detailed BNG delivery requirements do not impede the timely progression of this initial phase, including the H&WH building, internal access routes and parking areas.
- 7.66 Subject to these conditions, the proposal is considered to comply with Policies 28 and 31 of the South East Lincolnshire Local Plan and Section 15 of the National Planning Policy Framework.
- 7.67 Access for fire appliances and associated equipment
- 7.68 Planning permission H16-0462-24 attached a condition (Condition 25) which requested a *a scheme to demonstrate suitable access for a fire appliance and associated equipment has been submitted to and approved in writing by the Local Planning Authority*. The condition was worded as a pre-commencement condition. However the applicant has requested that this is time phased to prior to the first use. Lincs Fire and Rescue have been consulted but have made no response. Given that the building is empty and construction access, which is agreed through conditions are controlled by workers, and that the condition does not go to the heart of the permission, the time phasing of this condition, to prior to use is considered acceptable. No member of the public would be using the facility prior to the details being approved and installed, so no harm or risk would arise from this proposed alteration. Therefore, this submission need not be a 'pre-commencement' condition' and the change proposed is considered to be acceptable.
- 7.69 Approach to Energy Efficiency
- 7.70 The development incorporates a range of measures that significantly improve energy performance and reduce carbon emissions, including enhanced thermal standards, air-tight construction, heat pump technology and LED lighting. Photovoltaic panels will also be installed, helping the scheme integrate low-carbon generation and support the Council's adopted Local Plan Policy 31, through the incorporation of green and renewable energy infrastructure.

7.71 Waste Management

7.72 A Site Waste Management Plan will be prepared by the contractor prior to construction to ensure full compliance with relevant legislation. Operational waste procedures will be secured by planning condition, with current proposals focused on minimising waste and ensuring appropriate facilities for recycling and disposal.

7.73 Reattachment of Planning conditions

7.74 The applicant has previously discharged planning conditions related to this scheme under the following applications:

H16-0425-25 - Details of method statement for demolition and/or construction, construction management plan & method statement, foul water drainage works, employment, skills & local procurement strategy, archaeological work including written scheme of investigation & community use agreement (CUA) (Conditions 4, 5, 10, 15, 19 & 22 of H16-0462-24). Approved 23-07-25

7.75 H16-0742-25 - Details of surface water drainage scheme, foul water drainage scheme and details of a bespoke offsite ecological compensation package that achieves habitat units (Conditions 7, 10 & 20 of H16-0462-24). Approved 26-09-25

7.76 Whilst the following planning application is still pending:

7.77 H16-1098-25 - Details of samples of all materials to be used in the construction of external surfaces, full hard & soft landscaping plan, biodiversity gain plan & habitat management & monitoring plan (HMMP) & access for a fire appliance & associated equipment (Conditions 11, 12, 21 & 25 of H16-0462-24).

7.78 Therefore conditions 4, 5, 7, 10, 15, 19, 20 & 22 attached to planning permission H16-0462-24 will be changed to compliance related conditions. Conditions 11, 12, 21 & 25 will be reached to reflect this permission. There will also be the addition of a drainage condition for the AGP and condition 3 will be amended to relate to the phases.

7.79 All other conditions will be reattached.

7.80 **Planning Balance**

7.81 This Section 73 application seeks approval for a series of amendments to the previously consented scheme. The principle of development is already established and does not need to be reassessed as none of the changes proposed are of a significant enough nature to require this matter to be re-assessed. The decision for the Local Planning Authority is therefore limited to considering whether the proposed variations to conditions and associated design, layout and phasing changes remain acceptable in land-use and policy terms.

7.82 The amendments to the parking layout and associated phasing arrangements have been demonstrated, through updated transport analysis, to maintain safe and efficient operation of the local highway network. Lincolnshire County Council Highways has raised no objection, and the reconfigured parking provision is appropriately controlled through amended plans and phase-specific conditions. As such, the proposal continues to comply with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan and Section 9 of the NPPF.

7.83 The revised phasing strategy reflects the practical requirements of project delivery and the constraints of the Levelling Up Fund timetable. The changes do not materially alter the nature or scale of the consented development and ensure that the scheme remains deliverable within the required funding period. These adjustments carry neutral to positive weight in the planning balance.

7.84 The minor internal and external building alterations represent operational refinements that do not alter the approved scale, massing or appearance of the development. The changes

preserve the established design quality, safeguard amenity, and comply with the relevant provisions of Policies 2, 3 and 30 of the Local Plan.

- 7.85 In relation to heritage matters, the development continues to preserve the setting, appearance, character and significance of the adjacent Spalding Conservation Area. The proposed amendments do not affect the building envelope or the established townscape relationship, and no objections have been raised by Historic England or the Historic Places Team. The proposal therefore accords with Policy 29 of the Local Plan and the NPPF's heritage guidance.
- 7.86 Surface water and foul drainage matters remain acceptable. The approved drainage strategy for the main development is retained, and the separation of the condition to allow for an AGP-specific drainage scheme provides necessary flexibility without reducing technical control. The relevant statutory consultees have raised no objections. Subject to updated conditions, the scheme accords with Policy 4 of the Local Plan and Section 14 of the NPPF.
- 7.87 Regarding biodiversity, updated surveys confirm limited ecological impact and the ability to mitigate effects within the site. While the current BNG calculations indicate that the on-site scheme does not reach the full 10% requirement, the applicant has an established agreement with the Environment Bank to secure any necessary off-site units. Conditions will secure a Biodiversity Gain Plan and Habitat Management and Monitoring Plan at appropriate trigger points, ensuring compliance with Policies 28 and 31 of the Local Plan and the requirements of the Environment Act.
- 7.88 The updated wording and timing of the fire-appliance access condition is reasonable and proportionate, reflecting the construction circumstances and maintaining public safety. No objections have been raised by Lincolnshire Fire and Rescue.
- 7.89 Energy efficiency measures and waste management arrangements continue to accord with adopted policy requirements and carry positive weight.
- 7.90 Overall, the proposed amendments do not alter the fundamental planning considerations underlying the original approval. The changes are technical, operational or phasing-related in nature and do not give rise to adverse impacts that would conflict with the development plan when read as a whole, or that raise any new considerations or harm that brings into question the previously established and acceptable nature of the previously approved development. Subject to the updated and re-attached conditions described in this report, the proposal remains policy compliant.
- 7.91 Accordingly, the planning balance weighs firmly in favour of granting permission for the Section 73 amendments.

7.92 **Additional Considerations**

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose

a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.93 Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

7.94 **Conclusion**

The proposed amendments sought under this Section 73 application are sufficiently minor and do not alter the established principle of development which have been demonstrated to be acceptable in terms of highway safety; design; heritage; drainage; ecology; and overall site functionality. Subject to the updated and reattached conditions set out in this report, the development continues to accord with Policies 2, 3, 4, 28, 29, 30, 31 and 36 of the South East Lincolnshire Local Plan, as well as the relevant provisions of the National Planning Policy Framework. Therefore, it is recommended that Planning Permission be granted.

8.0 **RECOMMENDATIONS**

8.1 Approve subject to conditions

9.0 **CONDITIONS**

1. The development must be begun not later than the 17th January 2028.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

24-0414(G-213319) 01 - Pitch Site Plan
24-0414(G-213319) 02 - Pitch Development Layout
24-0414(G-213319) 03 - Pitch Components
24-0414(G-213319) 05 - Acoustic Board Elevations
M00514-ONE-ZZ-XX-D-L-0002 Rev P22 - Proposed Site Plan
M00514-SBA -00 -00 -DR-A -0104 Rev P07 - Proposed Site Plan - H&WH
M00514-SBA-00-00-DR-A-0105 Rev P06 - Site Phasing Plan
M00514-SBA -01 -00 -DR-A -0100 Rev P03 - Existing Location Site Plan - H&WH
M00514-SBA-02-00-DR-A-0131 Rev P04 - Proposed Ground Floor Plan
M00514-SBA-02-01-DR-A-0132 Rev P04 - Proposed First Floor Plan
M00514-SBA-02-02-DR-A-0133 Rev P04 - Proposed Roof Plan
M00514-SBA-02-B1-DR-A-0130 Rev P03 - Proposed Basement Plan
M00514-SBA-02-ZZ-DR-A-0136 Rev P06 - Proposed Elevations - 1 of 2
M00514-SBA-02-ZZ-DR-A-0137 Rev P06 - Proposed Elevations - 2 of 2
Landscape Proposals, Site Masterplan - Comparison & Site Masterplan
SHH-BWB-GEN-XX-RP-TR-0005 Rev P02 - Transport & Infrastructure Planning
SHH-BWB-XX-XX-RP-TR-0008 Rev P02 - Transport Technical Note
M00514-ENG-XX-ZZ-RP-C-0002 - Rev P05 - Flood Risk Assessment
15th July 2025 - Preliminary Ecological Appraisal
RT-MME-160845-02 Rev B - Arboricultural Impact Assessment
AAL2023155 - November 2023 - Archaeological Desk-Based Assessment
SQ-1167.1 - Biodiversity Net Gain Report
May 2024 - Rev 4 - Construction Environmental Management Plan
JUL 2024 - Version 3 - Construction Phase Plan
AG3565-23-AR81 - May 2024 - Ground Investigation Report
M00514 - August 2025 Rev P02 - Planning Amendments
M00514-DER-XX-XX-RP-N-0704 Rev P01 - Ventilation Extraction Statement
M00514-DER-XX-XX-RP-N-0704 Rev P01 - External Lighting Report
PC-23-0226-RP1-Rev B - Environmental Survey & Preliminary Acoustic Design
RMS-PR-060b Rev A - Materials & Waste
August 2025 Rev 04 - Planning Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the first use of the development hereby permitted within Phase 1, as shown on drawing no. M00514-SBA-00-00-DR-A-0105 Rev P06, the access, and parking and turning facilities as shown within the Proposed Site Plan (ref. M00514-SBA00-00-DR-A-0104 Rev P07) within the Phase 1 area, including as 'E1', shall be completed in their entirety and made available at all times during use. They shall there after be retained.

Prior to the first use of any development hereby permitted within subsequent Phases 2, 3 or 4, as shown on drawing no. M00514-SBA-00-00-DR-A-0105 Rev P06, the access, parking and turning facilities as shown within on the Proposed Site Plan (ref. M00514-SBA00-00-DR-A-0104 Rev P07) within the Phase 3 area, including as 'E2', shall have been completed in their entirety and made available at all times during use. They shall there after be retained.

Reason: In the interests of highway safety and the amenity of nearby residents.
This Condition is imposed in accordance with Paragraph 116 of the National Planning Policy Framework (December 2024).

4. The development, including construction shall take place in accordance with the method statement for the demolition and construction approved under H16-0462-24. The demolition and construction works shall be carried out in accordance with the approved method

Reason: In the interests of highway safety and the amenity of nearby residents.
This Condition is imposed in accordance with Paragraph 116 of the National Planning Policy Framework (December 2024).

5. The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement approved under H16-0462-24. The agreed methods shall be adhered to throughout the process of construction.
- Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019
6. Demolition/ground works/construction works/ deliveries and collections during the construction phase of the development, shall not take place outside the following hours:
- Monday to Friday 08.00 - 18.00hrs
 - Saturday 08.00 - 13.00hrs
 - There shall be no work on Sundays or Public Holidays
- Reason: In the interests of highway safety and the amenity of nearby residents.
This Condition is imposed in accordance with Paragraph 116 of the National Planning Policy Framework (December 2024) and Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.
7. The development shall be carried out in accordance with the surface water drainage scheme that was approved under H16-0742-25. The approved scheme shall be completed and implemented in line with the approved details.
- Reason: To ensure that the site can be adequately drained
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, December 2024.
8. No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of tactile crossing points at the Albion Street access and The Green junction) have been certified complete by the Local Planning Authority.
- Reason: To ensure the provision of safe and adequate means of access to the permitted development.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).
9. No building hereby permitted shall be first occupied until details of the noise from fixed plant and machinery (which shall not exceed the background noise level by more than 5dB(A) when measured as a 15-minute L(A)_{eq} on any residential boundary not within the applicant's ownership) have been submitted to and approved in writing by the local planning authority.
- Reason: To ensure development would not result in unacceptable impact on residential amenity.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).
10. The foul water drainage strategy shall be carried out in accordance with H16-0462-24. The approved scheme shall be completed and implemented in line with those agreed details.
- Reason: To ensure development would not result in unacceptable risk of pollution
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, December 2024.

11. Prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

12. Notwithstanding the approved plans, no development shall commence other than work to the H&WH building and internal roads and parking areas contained within Phase 1 as shown on drawing number M00514-SBA-00-00-DR-A-0105 Rev P06, until a full hard and soft landscaping plan is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).

13. Notwithstanding the maintenance details submitted as part of the application, before the first occupation of the development hereby permitted, a schedule of landscape maintenance in perpetuity shall have been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation, long-term design objectives, management responsibilities and maintenance schedules for all landscape areas.

The approved landscape maintenance schedule shall be fully implemented.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).

14. Where trees are shown to be retained on site they shall be protected during construction work as follows:

i) chestnut pale or similar fencing 1.5 metres in height shall be provided around the trees to be retained before development is commenced at a minimum distance from the trunks equal to the spread of the crowns of the trees. No materials, equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made;

ii) no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees to be retained;

iii) no services shall be routed under the spread of the crowns of the trees to be retained;

iv) no retained tree shall be cut down, up-rooted, destroyed, topped or lopped unless first agreed in writing by the Local Planning Authority;

v) if any tree which is to be retained dies or is to be removed it shall be replaced within six months thereafter with a tree of such size and species which shall be first be agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on the site.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).

15. The development shall be carried out in accordance with the Employment, Skills and Local Procurement Strategy approved under H16-0462-24.
- Reason: To ensure that the development provides opportunities for local employment and training opportunities.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).
16. Notwithstanding the submitted Environmental Survey & Preliminary Acoustic Design (dated 24 May 2024), before the development hereby permitted is first occupied, full details of all proposed boundary treatment, including extending the proposed acoustic fence at both ends to the west of the AGP, shall be submitted to and approved in writing by the Local Planning Authority.
- The approved boundary treatments shall be erected before the development is first brought into use and thereafter retained in that form.
- Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the residential amenity of the overall development, to prevent noise pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework (December 2024).
17. Notwithstanding the submitted lighting details, before the development hereby permitted is first occupied, details of any external lighting to be provided in association with the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include times when the external lighting will be switched on. Only external lighting that is in accordance with the approved details, shall be provided on the application site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no other external lighting provided on the application site. Thereafter, all lighting shall be installed in accordance with the approved details.
- Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Local Plan, 2019 and the provisions of the National Planning Policy Framework (December 2024).
18. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment by Engenuiti dated 01/11/24 forming part of this planning application, in particular the following measures shall be fully implemented before the property is first occupied:
- Mitigation measures for all flood depths include utilising flood resilient design, construction and materials. For depths up to 0.3m a water exclusion strategy is to be adopted, minimising water entry and maintaining structural integrity by incorporating flood barriers. For depths 0.3-0.6m water is to be kept out in full or in part. For depths above 0.6m water is to be allowed through the building via water passages.
 - A Flood Warning and Evacuation Plan for the proposed development for site users to follow in the event of flooding when the site is in use. If warning of a flood is received ahead of the event, site users should avoid the proposed development.
 - These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
- Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).

19. The programme of archaeological work, including the Written Scheme of Investigation shall be carried out in accordance with the details provided for and agreed under H16-0462-24.
- Reason: To ensure that the development conserves any potential heritage assets. This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).
20. The development shall be carried out in accordance with the ecological compensation package, approved under H16-0742-25.
- Reason: In the interest of Protected Species.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework (December 2024).
21. No work shall commence other than the redevelopment of the H&WH building and parking contained within Phase 1 as shown on drawing number M00514-SBA-00-00-DR-A-0105 Rev P06 until the submission of a biodiversity gain plan and habitat management and monitoring plan (HMMP) to be approved by the Local Planning Authority.
- The development shall be carried out in accordance with the approved details.
- Reason: In the interest of Protected Species.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework (December 2024).
22. The development shall be carried out in accordance with the Community Use Agreement (CUA) approved under H16-0462-24.
- Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sports.
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).
23. The indoor and outdoor sports facilities approved in Phase 1 as shown on drawing No: M00514-ONE-ZZ-XX-D-L-0002 Rev P22 shall be provided in full and in accordance with the approved details contained in the plans and supporting documentation listed in condition no. 2 (approved plans condition). All of the indoor and outdoor sports facilities in Phase 1 shall then be made available for use prior to any work commencing on Phase 2.
- Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and which delivers sufficient benefits to sport to outweigh the loss of playing field.
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and national guidance contained the National Planning Policy Framework (December 2024).

24. Use of the Artificial Grass Pitch hereby approved shall not commence until:
- (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
 - (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches
 - (c) A surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority, That strategy shall be implemented in accordance with the approved details and thereafter retained.
 - (d) Sample of boundary treatments materials for the AGP.

The agreed details shall thereafter be implemented and retained.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy 32 and the NPPF.
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and national guidance contained the National Planning Policy Framework (December 2024).

25. Prior to the first use of any part of phase 1 a scheme to demonstrate suitable access for a fire appliance and associated equipment has been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) Suitable access and turning for fire truck to meet entrance of sports centre building
 - b) Hardstanding capable of withstanding 18 tonnes vehicle up to entrance of sports centre building.

The development shall be carried out in accordance with the approved details.

Reason: In the interests Fire Safety.
This condition is imposed in accordance with Paragraph 116 of the National Planning Policy Framework (December 2024).

26. 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, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

27. Biodiversity Net Gain

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

The effect of Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Holland District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP before development is begun). This is over and above the information submitted and considered as part of this application, and will be required before development is begun, because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

For guidance on the contents, in respect of the details that must be submitted and agreed by the Local Planning Authority, prior to the commencement of the consented development, please see the GOV.uk website and Planning Practice Guidance.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

For clarity, the Local Planning Authority do not consider that any of the exemptions apply in this case. As such, the development hereby permitted will be subject to the biodiversity gain condition.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

For clarity the LPA do not consider that irreplaceable habitats are present at this site.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where

- (a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and
- (b) the conditions subject to which the planning permission is granted:
 - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post: Nick Atkinson , Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:

Email nick.atkinson@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A



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Agenda Item 7.

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Lead Development Management Planner (Interim) - BBC & SHDC

To: Planning Committee - 07 January 2026

(Author: Oscar Patman - Planning Officer)

Purpose: To consider Planning Application H13-0848-25

Application Number: H13-0848-25

Date Received: 04 September 2025

Application Type: FULL

Description: Conversion of existing steel framed building to self build dwelling

Location: Land off High Road Moulton Spalding

Applicant: Mr & Mrs Greenaway

Agent:

Seven22 Architecture Ltd

Ward: Cowbit, Weston and Moulton

Ward Councillors:

Cllr T E Sneath
Cllr A Casson
Cllr A R Woolf

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H13-0848-25>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application has been referred to Committee by Chairman's Panel, following a request by Cllr A Casson.

2.0 PROPOSAL

2.1 This is a full planning application, seeking the conversion of an existing steel framed building to a three-bedroom, self-build dwelling.

2.2 It is proposed that the existing building would be extended for its entire width by approximately 6m, resulting in an approximate 36% increase in floor area. The barn would be entirely re-clad, with black standing seam insulated cladding, accentuated with vertical western red cedar cladding. The fenestration would be grey aluminium. A Stamford stone chimney stack is proposed relatively centrally within the roof, above the living room.

3.0 SITE DESCRIPTION

3.1 The site is outside any of the settlement boundary outlined within the South East Lincolnshire Local Plan, 2019, and can therefore be considered to be within the Countryside.

3.2 The site is located along the main road (High Road) between Moulton and Weston, sitting 160m and 650m respectively from each settlement. The building is set back from the road (approximately 100m) and well screened, giving a more remote and rural character.

3.3 The wider site features a fishing and wildlife site, which is well vegetated and landscaped. The

existing building is a utilitarian, green steel framed structure, erected approximately eleven years ago. Under application reference H13-0683-20, this building was intended to be used for site maintenance in association with the holiday lodges; however, it has since been found to be surplus to this requirement.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

4.2 South East Lincolnshire Local Plan, March 2019

4.3 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.4 Policy 01 - Spatial Strategy
Policy 02 - Development Management
Policy 03 - Design of New Development
Policy 04 - Approach to Flood Risk
Policy 09 - Promoting a Stronger Visitor Economy
Policy 23 - Reuse of Buildings in the Countryside for Residential Use
Policy 28 - The Natural Environment
Policy 30 - Pollution
Policy 31 - Climate Change and Renewable and Low Carbon Energy
Policy 33 - Delivering a More Sustainable Transport Network
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

4.5 National Planning Policy Framework (NPPF), 2024

4.6 Section 2 - Achieving sustainable development
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

4.7 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H13-0495-06 - Full - Creation of wildlife area and excavation of pond - Refused 19 June 2006.

5.2 H13-0935-06 - Full - Creation of wildlife area and excavation of pond - Approved 25 August 2006.

5.3 H13-0475-11 - Full - Use of site for touring caravans - Refused 12 September 2011.

5.4 H13-0320-12 - Full - Proposed touring caravan site - Approved 1 August 2012.

5.5 H13-0683-20 - Full - Change of Use to fishing and wildlife holiday lodges, erection of 5 modular holiday lodges with associated landscaping, planting and parking - Approved 15 October 2020.

5.6 H13-0849-25 - S73 - Change of Use to fishing and wildlife holiday lodges, erection of 5 modular holiday lodges with associated landscaping, planting and parking - Approved under H13-0683-20. Modification to Condition 2 to allow amendments to previously approved plans - Ongoing.

6.0 REPRESENTATIONS

6.1 The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

6.2 Cllr Casson

"Can I please request this application to go to chairman's panel, please."

6.3 Highway and Lead Local Flood Authority

"No Objections - The proposal is for conversion of existing steel framed building to self build dwelling. The access has been approved under H13-0683-20. The dwelling will include three bedrooms, and sufficient parking has been demonstrated. The proposal will not have an adverse impact on the public highway.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application."

Proceeds to recommend the following informative condition:

"Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>."

6.4 Environmental Proteciton

Initial Comments, dated 23/09/25

"As the project is self build we would advise restricting the use of heavy machinery and external power tools beyond the hours of 7:30-18:00 Monday to Friday, and Saturday 8:00- 13:00."

6.5 *Additional Comments, dated 02/10/25*

"I request a screening assessment form be completed for this location."

6.6 *Revised Comments, dated 15/10/25*

"I have reviewed the submitted screening assessment form along with photographs supplied in the planning statement and structural appraisal. I request a precautionary land contamination condition be applied at this location as follows: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority (LPA). An investigation and risk assessment must be undertaken in accordance with details to be agreed with the LPA. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the LPA. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by the LPA. No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA. Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019."

6.7 Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

7.0 **CONSIDERATIONS**

7.1 Evaluation

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.3 The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

7.4 The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.5 Principle of Development

7.6 Policy Context - Spatial Strategy

7.7 Policy 1 of the South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

7.8 Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including 'Minor Service Centres', with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

7.9 The site is located outside any defined settlement boundary. Policy 1 states that "the rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside".

7.10 As such, the site should be considered to be within the Countryside from a planning policy context.

7.11 Policy 1 states that within "the Countryside development will 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."

7.12 Within the explanatory text of Policy 1 and throughout the South East Lincolnshire Local Plan (2019), further discussion of what can be considered to necessitate a Countryside location can be found. Policy 23 outlines that the reuse of a building in the Countryside for residential use can be considered as development which necessitates a Countryside location.

7.13 Policy Context - The Reuse of Buildings in the Countryside for Residential Use

- 7.14 Paragraph 84 of the National Planning Policy Framework (December 2024) outlines that "Planning policies and decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting".
- 7.15 Within the context of South Holland, the suitability of a proposal for the re-use of a building in the Countryside is contained in Policy 23. In this context, Policy 23 states:
- "Proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential use will be permitted provided that:
1. the building is structurally sound and capable of conversion without the need for significant extension, alteration or rebuilding;
 2. the building is of architectural or historic merit or makes a positive contribution to the character of the landscape, to justify conversion to ensure retention;
 3. the proposal is in keeping with its surroundings;
 4. the design is sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction; and
 5. development leads to an enhancement of the immediate setting of the building".
- 7.16 The Reasoned Justification associated with this policy explains the rationale and aims of Policy 23. Paragraph 5.15.3 states:
- "Rural buildings, such as brick-built barns, can make a significant contribution to the character of an area and so there is a concern that they should not remain vacant, under-used or become derelict, detracting from the visual character and quality of the designated Countryside. Policy 23 therefore makes provision for the conversion and reuse of rural buildings as dwellings. South East Lincolnshire's stock of traditional and historic buildings is a finite resource and so conversions provide the opportunity to retain and enhance the architectural quality and character of the building and its setting."
- 7.17 This is expanded upon by Paragraphs 5.15.4 and 5.15.5, which are copied below for context:
- "5.15.4: However, not all buildings in the Countryside are suitable for conversion as they may be of insubstantial construction, of poor design or not in keeping with their surroundings. Buildings to be converted should be structurally sound and proposals which require significant extension, alteration or rebuilding will be not acceptable. Structural surveys may be required in order to demonstrate that a building is structurally sound. Proposals which would involve rebuilding, rather than conversion, will be regarded as new dwellings in the Countryside and will not be permitted."
- 7.18 "5.15.5: Proposals will be required to be sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction in order to conserve its interest. They should also seek to optimise the potential to enhance the character and quality of the site. In terms of vehicular access, proposals should meet the requirements of the Highways Authority."
- 7.19 The aims of Policy 23 can therefore be broadly outlined as the retention and enhancement of buildings of architectural, or historical merit, in the Countryside.
- 7.20 *Policy Context - Need for Housing*
- 7.21 The National Planning Policy Framework (December 2024) outlines, within Paragraph 61, that "to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community."
- 7.22 Paragraph 73 of the National Planning Policy Framework (December 2024) also emphasises the importance that the contribution of small to medium sized sites can make in meeting the housing requirements. ("Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise

housebuilders to deliver new homes, and are often built-out relatively quickly"). This paragraph seeks to ensure that there is a sufficient supply of homes and advises that sites of all sizes make a contribution to the housing requirement of an area.

7.23 Need for Housing

7.24 The proposal is for a self-build dwelling. This matter is discussed in greater detail in the following section; however, pertinent to housing need here, is Section 2 of the Self and Custom Housebuilding Act, 2015, which states that: "an authority to which this section applies must give development permission for the carrying out of self-build and custom housebuilding on enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area in respect of each base period." To this end, and as reaffirmed within Footnote 28 of the National Planning Policy Framework (December 2024), the Planning Authority are obliged to give enough suitable development permissions to meet identified demand.

7.25 Self and Custom Building Housing - Policy Context

7.26 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals. The definition contained within the Act is as follows:

"In this Act "self-build and custom housebuilding" means the building or completion by -
(a) individuals,
(b) associations of individuals, or
(c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals."

7.27 It is noted that the applicants statement details that "a 2024 appeal decision within the District reinforces this position, with the Inspector explicitly noting that the self-build nature of the proposal was a material consideration that weighed in favour of the single dwelling".

7.28 The South East Lincolnshire Local Plan (2019) has a number of allocated sites, a number of which are yet to be delivered. Likewise, the district has plentiful opportunity for windfall sites within settlement boundaries; both means to which self-build projects could come forward, within sustainable locations.

7.29 Whilst the South East Lincolnshire Local Plan (2019) does not have a policy dedicated to self-build proposals, Policies 10, 11 and 17 provide a strategy for the provision of these dwellings. Paragraph 5.3.5 of the South East Lincolnshire Local Plan (2019) states:

"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."

7.30 Policy 17 expands upon this briefly, outlining that the "Local Plan will also seek to meet the housing needs of custom and self-builders as they may come forward." Paragraph 5.9.4 of the reasoned justification for this policy reiterates that "opportunities for infill development within Settlement Boundaries can also meet the known interest registered by self and custom house builders".

7.31 In this regard, it is clear that proposals for self-build dwellings should be consistent with the Development Plan as a whole and appropriately located within settlement boundaries. This approach has been confirmed within Appeals APP/A2525/W/23/3319481, APP/A2525/W/24/3343297 and APP/A2525/W/25/3359058 amongst others. Within these previous appeals, it was outlined that proposals which break from the spatial strategy of the South East Lincolnshire Local Plan (2019) would require significant justification, including evidence that a search for alternative sites within settlements has been conducted. No such

justification or search for sites has been presented to the Council at this time.

- 7.32 In this vein, whilst weight is given in favour of proposals for self and custom builds, these proposals must be consistent with the provisions of the South East Lincolnshire Local Plan (2019) as a whole, and cannot be used as the sole justification for divergence from policy. The weight given in favour of the proposal in respect of its self-build nature is tempered accordingly.
- 7.33 Principle of Development - Assessment
- 7.34 As outlined above, the proposal relates to the conversion of an existing building in the Countryside, and so, in order to be acceptable in principle, would have to conform to the five criteria outlined in Policy 23. Assessing the proposal against these criteria, the following is considered:
1. Proposed here is a significant level of alteration, through the entire recladding of the building and a sizeable extension. The level of extension and alteration goes beyond what would typically be expected of a conventional conversion.
- 7.35 However, Policy 23 and Paragraph 5.15.4 of the Reasoned Justification are explicit in the use of the words "need" and "require". The building itself is considered to be structurally sound, as demonstrated within the submitted structural survey, and would meet space standards without the proposed extensions. On this basis, the proposed conversion does not actually necessitate all of the alterations proposed, and could reasonably occur at a reduced scale. The alterations could therefore be considered superfluous and used to aid with the conversion rather than facilitate it. To this end, it could be argued that the proposal would technically be in accordance with criterion 1, in that the building is structurally sound and capable of conversion without significant alteration.
- 7.36 2. The existing building is of no architectural merit. It is well screened and well set back from the road, and therefore its contribution to the landscape is minimal. Whilst it is not argued, as outlined in the Design and Access Statement, that the building is indicative of a point in time of agricultural architecture, it is not an exemplary model of that era, and nor is there a special need to preserve pieces from that design philosophy at this time.
- 7.37 The building is only approximately eleven years old and so is of no historic merit. As such, the existing building is not considered to be of significant merit as to justify its conversion. The proposal is in direct conflict with criterion 2 of Policy 23.
- 7.38 3. The proposed design is in keeping with its surroundings. The design relates well to those of the lodges approved under H13-0683-20, and would act as a design focal point for the site as a result. The materials selected and overall design is well selected for the rural area and is a well designed modern interpretation of this character.
- 7.39 4. The existing building, as outlined above, is a rudimentary, agrarian building, of no merit. The proposed design would wholly change its appearance. The resultant building would bear no resemblance to its predecessor. As outlined above, Paragraph 5.15.5 requires proposals to be sympathetic to the original appearance of the building in terms of materials and detailing to preserve its interest. This is not considered to have occurred here. As such, such a significant redesign cannot be said to be sympathetic to the original building.
- 7.40 5. The proposal is of a high quality, which would lead to an immediate enhancement of the building's setting. The materials, detailing and overall design are well adapted to the area, portraying a consistent and strong design philosophy, which would enhance the area. The proposed materials appear to be of a suitably high quality also, enhancing the building in this regard.
- 7.41 For the reasons outlined above, the proposal is considered to be in accordance with points 1, 3, and 5 of Policy 23, but contrary to points 2 and 4 of this policy. Whilst the proposed design is of a good quality, the existing building is of no merit historically or architecturally. As such, the proposal is considered to be contrary to the aims of Policy 23 as a whole, in that the intention to retain existing buildings of architectural merit has not been achieved.

- 7.42 As discussed above, the weight attributed to the self-build nature of the dwelling is proportionate. The provisions of Policies 10, 11 and 17 of the South East Lincolnshire Local Plan (2019) are such that the development should still be directed to within settlement boundaries in the first instance, a matter that has been regularly reinforced through recent Appeal decisions. Accordingly, the weight attributed to the self-build nature of the proposal would not be sufficient on its own to justify the principle of a residential development on this site, or warrant a departure from the aims of the spatial strategy.
- 7.43 It should be noted that the Council's 5 Year Housing Land Supply Assessment and the inset maps supporting the South East Lincolnshire Local Plan (2019), identify a number of single plot and small sites, not identified for a particular dwelling type or sector. It would be unlikely that at least some of those sites could not be considered as being suitable for self-build housing particularly given the straightforward requirements for such sites to be considered as a serviced plot of land as defined in the Self-build and Custom Housebuilding Act 2015 and explained in the PPG. No such evidence of a search for sites within such allocations or within the broader settlement boundaries has been provided.
- 7.44 To this end, whilst weight is given in favour of the proposal as a result of its self-build nature, said weight is not substantial enough to overcome the conflict in principle with Policy 23 of the South East Lincolnshire Local Plan (2019), which by extension results in the proposal being contrary to Policy 1 of the South East Lincolnshire Local Plan (2019).
- 7.45 For these reasons, the principle of development is not considered acceptable and is at conflict with Policies 1 and 23 of the South East Lincolnshire Local Plan (2019).
- 7.46 Layout, Design, Scale and Consideration of the Character of the Area
- 7.47 Section 12 of the National Planning Policy Framework (December 2024), "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.
- 7.48 Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.
- 7.49 Paragraph 139 of the National Planning Policy Framework (December 2024) states the following:
- "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵⁴, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings".
- 7.50 South Holland do not have a local design guide, meaning that supplementary guidance on design matters is principally driven by national documents, including the National Design Guide (NDG). The NDG outlines broad principles for well designed places. The entire document is of note to this application; however, Paragraphs 41, 43, 44, 50, 51, 52, 53, 56, 57 and 75 of the

NDG are highlighted here as being particularly relevant to the case at hand.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the South East Lincolnshire Local Plan (2019) requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

- 7.51 These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.
- 7.52 The proposed design is considered to be high quality. A clear approach has been taken in designing the proposed dwelling, to produce a coherent design, which is well-tailored for its needs and location. The submitted scheme is evidently rooted in its rural location, and whilst not necessarily representative of traditional vernacular design in South Holland, is reflective of more modern design practices emerging throughout the area.
- 7.53 The proposal clearly embodies the principles of good design outlined within the NDG, in that it is adapted to the area where it is proposed and has sustainability at its core. The result is a dwelling which clearly enhances the existing character of the building.
- 7.54 The materials proposed are well chosen for the setting. They compliment the rural character of the area well, invoking the previously agricultural nature of the plot in a coherent and logical manner. The use of black cladding is typical of the wider South Holland area, paying homage to a certain degree to local vernacular. It is considered Paragraph 57 of the NDG has been met as a result.
- 7.55 However, whilst it is accepted that the proposal reflects government guidance on design, it is not considered that the proposal would be outstanding or innovative, and would not necessarily raise the standard of design in the area more generally. Many of the features proposed would only function within a Countryside setting, and so their reproducibility is limited. Likewise, whilst sustainability measures such as heat pumps have been mentioned (although not detailed), these would not be used in an innovative way. The design is of a good quality, but cannot be said to be truly outstanding.
- 7.56 As such, whilst weight is transferred in favour of the proposal, due to its good design, this would not necessarily be tantamount to the full weight transferred by Paragraph 139 as the design is not outstanding or innovative.
- 7.57 Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable in this regard. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).
- 7.58 Impacts Upon Residential Amenity
- 7.59 Paragraph 135 of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.60 Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions. Policy 30 states that pollution in all forms, including noise pollution

and contaminated land.

- 7.61 Due to the relative isolation of the plot, there would be no amenity impact. The Environmental Protection department has recommended restrictions on hours of construction; however, this is considered excessive given the isolation of the plot.
- 7.62 A screening assessment has been requested by the Environmental Protection department. This has been duly provided by the applicant, and following this a standard contaminated land condition has been requested by the department.
- 7.63 As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with Section 12 of the National Planning Policy Framework (December 2024) and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.
- 7.64 Highway Safety and Parking
- 7.65 Section 9 of the National Planning Policy Framework (December 2024) is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".
- 7.66 In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.
- 7.67 Policy 36 of the South East Lincolnshire Local Plan (2019), in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.
- 7.68 Ample parking has been provided on site. Access would be via an existing and established access road to the fishing lakes. The creation of a dwelling would not significantly increase the traffic using this access, and certainly not to such an extent as to cause severe harm as outlined in Paragraph 116.
- 7.69 The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the South East Lincolnshire Local Plan (2019), as well as Section 9 of the National Planning Policy Framework (December 2024).
- 7.70 Flooding Considerations
- 7.71 Section 14 of the National Planning Policy Framework (December 2024) requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: applying the sequential test and then, if necessary, the exception test as set out below".
- 7.72 Paragraph 174 of the National Planning Policy Framework (December 2024) states "the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding". The strategic flood risk assessment provides the basis for applying this test.

- 7.73 Paragraph 175 of the National Planning Policy Framework (December 2024) states that "the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."
- 7.74 If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate. The process for applying the Exception Test is outlined within Paragraphs 177, 178 and 179 of the National Planning Policy Framework (December 2024). Paragraph 178 states "to pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."
- 7.75 The site lies within Flood Zones 1, 2 and 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.
- 7.76 The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.
- 7.77 It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the SFRA as a basis to apply the sequential test.
- 7.78 Within the SFRA the majority of the wider site is outside of an identified hazard zone; however, the western section of the site, where the dwelling would be located, is within the "danger for some" hazard zone. Hazard depths within the "danger for some" area are expected to reach up to 1m. It is important to note that the depths given in the hazard depths are based on a broad data set rather than site specific topographically surveys. As such, individual site topography means that flood depths can actually be lower or higher than those outlined in the hazard depth maps.
- 7.79 Paragraph 176 of the National Planning Policy Framework (December 2024) states: "Applications for some minor development and changes of use should also not be subject to the sequential test, nor the exception test set out below". Footnote 62 offers further discussion as to what may be considered to be a minor development. Despite increasing the vulnerability of the use to the impacts of flooding, inline with Annex 3 of the National Planning Policy Framework (December 2024), there is no requirement to apply the sequential or exceptions tests here.
- 7.80 However, as clarified within Paragraph 14 of the PPG on Flood Risk and Coastal Change (ID 7-014-20220825):
"As changes of use are not normally subject to the Sequential or Exception tests, when formulating policy, the local planning authority will need to consider what changes of use will be acceptable, taking into account the Strategic Flood Risk Assessment. This is likely to depend on whether developments can be designed to be safe and that there is adequate emergency planning provision".
- 7.81 As such, despite there being no obligation to apply the Sequential or Exceptions tests, the proposal should still be considered safe from flooding in order to be considered acceptable. In this regard, Policy 4 of the South East Lincolnshire Local Plan (2019) states:

"Change of use of existing buildings will be supported providing they do not pose an increase in

risk to people. Change of use that would result in self-contained ground floor residential accommodation in areas of hazard rating 'danger for some', 'danger for most' and 'danger for all' will not be supported. In these areas unrestricted access to a habitable room above the flood level and an emergency evacuation plan will be required."

- 7.82 A site specific topographic survey has not been provided to demonstrate if there would be variance from the hazard depths maps of the SFRA. To this end, it can be assumed that at least part of the dwelling would be subject to flood depths of up to 1m. Seeing as there are no fluctuations in finished floor levels throughout the building, the whole dwelling would be in effect subject to the same flood depths.
- 7.83 It is proposed that the finished floor level of the dwelling would be raised by 1m, with flood resilient construction up to 300mm above finished floor level. The wording of Policy 4 is explicit that unrestricted access to rooms above flood depth, which has been provided. Therefore, despite being single storey accommodation, in "danger for some" the proposal would still be in accordance with the aims of Policy 4, in that the development would be safe for its lifetime.
- 7.84 On this basis, the proposal is considered to be in accordance with Policy 4 of the Local Plan and Section 14 of the Framework with regards to flood risk.
- 7.85 Impacts of Climate Change
- 7.86 In respect of the climate emergency, Section 14 of the National Planning Policy Framework (December 2024) states that new development should be planned for in ways that: "avoid increased vulnerability to the range of impacts arising from climate change" with care taken to ensure that, where development is brought forward in areas which are vulnerable, "risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and help to reduce greenhouse gas emissions, such as through its location, orientation and design".
- 7.87 Paragraph 166 of the National Planning Policy Framework (December 2024) details that when determining planning applications, Local Planning Authorities should "expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption", with 'significant weight' given to "the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights)".
- 7.88 Paragraph 161 states: "The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."
- 7.89 In line with the above paragraphs, some weight is given in favour of the proposal, as it would involve the conversion of an existing building in a sustainable manner. However, the Marks and Spencer PLC v Secretary of State for Levelling Up, Housing and Communities ruling is clear that there is some encouragement for the reuse of buildings, there is nothing close to a presumption in favour of repurposing buildings. To this end, the weight in favour of the conversion is proportionate, and should not be so significant as to outweigh all other matters.
- 7.90 It is outlined, within Page 14 of the Design and Access Statement, that various environmental sustainability measures would be installed, which include air source heat pumps, solar panels and insulation. However, no specific details of these features have been provided; and therefore, their efficacy and extent cannot be examined here. On this basis, only minimal weight is attached to this point.

7.91 As such, some weight is attached in favour of the proposal under Section 14 of the National Planning Policy Framework (December 2024); however, said weight is tempered due to the lack of information provided.

7.92 Biodiversity Net Gain

7.93 Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

7.94 "Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

7.95 As a self/custom build dwelling, subject to the appropriate legal agreement confirming this to be the case, the proposal is considered to meet the requirements of this provision and is therefore exempt from the need for the statutory biodiversity gain condition.

7.96 The submitted Biodiversity Net Gain Statement outlines several measures such as bird and bat boxes and landscaping to be installed. However, no details of these measures have been provided. As such, an assessment of their effectiveness cannot be undertaken, and only minimal weight is attached to this point.

7.97 **Planning Balance**

7.98 As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.99 Proposed here is a well-designed barn conversion. There would be a clear visual betterment in the immediate area, which transfers relevant weight under Section 12 of the National Planning Policy Framework (December 2024) and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019). Weight is also given in favour of the proposal due to its nature as a conversion (see Section 14 of the National Planning Policy Framework (December 2024)) and due to its self-build nature.

7.100 However, Policy 23 of the South East Lincolnshire Local Plan (2019) is explicit that conversions would only be permissible where the existing building is of architectural or historic merit. Neither is the case here. The existing building is not of significant enough merit as to justify its retention. Likewise, the proposed alterations, whilst improving the building, would be so extensive as to fail to respect the existing character of the building, however poor this may be, as required under criterion 4. On this basis, the proposal is not in accordance with the aims of Policies 1 and 23 of the South East Lincolnshire Local Plan (2019). As such, the proposal is considered to be unacceptable in principle.

7.101 **Additional Considerations**

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging

participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.102 Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

7.103 **Conclusion**

7.104 Taking these factors into consideration, the proposal is considered to conflict with Policies 1 and 23 of the South East Lincolnshire Local Plan (2019). There are no significant factors in this case that would outweigh the harm identified as part of the proposal; therefore, the planning balance is against the proposal.

8.0 **RECOMMENDATIONS**

8.1 Based on the assessment detailed above, it is recommended that the proposal should be refused.

9.0 **REASONS FOR REFUSAL**

1. Policy 23 of the South East Lincolnshire Local Plan (2019) is concerned with proposals for the conversion of existing buildings, which are located outside defined settlement boundaries, to residential use. Policy 23 sets out that proposals of this nature will be permitted provided that they meet a set of five criteria.

The existing building is of no architectural or historic merit to justify its retention. It is a rudimentary and typical example of industrial agricultural buildings found throughout the English countryside. On this basis, the proposal fails to meet criterion 2.

Moreover, whilst the proposed design is of architectural merit, it fails to be sympathetic to the existing building, due to the extent of changes proposed. The resultant building is visually distinct from the existing building, with changes to the scale and external materials of the building proposed. The proposal would therefore be contrary to criterion 4.

Therefore, the Local Planning Authority is of the view that the proposals would be contrary to Policies 1 and 23 of the South East Lincolnshire Local Plan (2019).

2. 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. Furthermore, matters of concern with the application have been identified and discussed with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory solution and due to the harm, which has been clearly identified within the reason(s) for the refusal, 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>

3. The determined plans are:

- 005a S01 - Site Location Plan
- 005a P01 - Proposed Site Layout & Block Plan
- 005a P02 - Proposed Plans - Roof & Floor Plans
- 005a P03 Rev A - Proposed Elevations - Amendment 1
- Sketch Views - Sheet 1
- Sketch Views - Sheet 2
- Planning Statement, ref 005a Rev C, prepared by Seven22 Architecture, dated November 2025
- Flood Risk Assessment, rev A, prepared by Seven22 Architecture, dated August 2025
- Structural Appraisal, ref JC/25/07/8174, prepared by JC Consultancy Ltd, dated August 2025
- Biodiversity Net Gain Statement, prepared by Seven22 Architecture, dated August 2025

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post: Nick Atkinson , Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:

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Appendices attached to this report:

Appendix A Plan A



South Holland District Council

Appeals for Committee

Report of: Development Manager
To: Planning Committee
Author: Nick Atkinson
Subject: Planning Appeals
Purpose: To provide an update on recent appeal decisions

OVERVIEW

Since the previous report, the following decision(s) have been received:

Appeals Dismissed: 4
Appeals Allowed: 0
Appeals Part Allowed: 0

Since the 1st April 2017 268 planning appeal decisions have been received of which 201 have been dismissed, which equates to a success rate of 75.00%.

PLANNING APPEALS DISMISSED

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
1323 Mr D Salamone H06-0516-24 APP/A2525/W/25/3363748	Rear of The Rising Sun Pit Lane Gedney Drove End Spalding	Oscar Patman	DISMISSED	29 Sep 2025
1328 Mr M Baker H19-0249-25 APP/A2525/W/25/3371740	Adjacent to The Firs Coronation Avenue Throckenholt Spalding	Jess Hill	DISMISSED	06 Nov 2025
1325 Franklin Bros Limited H18-0528-24 APP/A2525/W/25/3369055	Greenworld Park Sutton Bridge Spalding Lincolnshire	Gillian Pinna-Morell	DISMISSED	14 Nov 2025
1330 Mr Coupe & Miss Roberts H20-0417-25 APP/A2525/D/25/3372366	Markenville 17 Broadgate Road Sutton St James Spalding	Jess Hill	DISMISSED	18 Nov 2025

PLANNING APPEALS ALLOWED

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
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PLANNING APPEALS PART ALLOWED

None

ENFORCEMENT APPEALS DISMISSED

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
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ENFORCEMENT APPEALS ALLOWED

None

Lead Contact Officer

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Report To:	Planning Committee
Date:	7 th January 2026
Subject:	Review of Implemented Planning Decisions
Purpose:	To report on the conclusions of the Performance Monitoring Panel and to invite the Committee to submit any comments back to the Panel, following the review/tour undertaken with members.
Key Decision:	N/A
Portfolio Holder:	Portfolio Holder for Assets & Planning
Report Of:	Phil Norman – Assistant Director – Planning and Strategic Infrastructure
Report Author:	Jacob Bryan – Planning Officer
Ward(s) Affected:	There are no wards or communities affected
Exempt Report:	No

Summary

South Holland District Council's Constitution outlines, within Part 3 (Delegations), Section D (Delegations to Committees), that the Performance Monitoring Panel shall 'revisit a number of implemented planning decisions'.

In this context, the latest 'Implemented Planning Decision' visits took place on 16th October 2025. A follow up report was prepared and presented to the Performance Monitoring Panel on 10th November 2025 which set out the conclusions drawn from the exercise. This report to Planning Committee is the next step in the review process, before returning to the Performance Monitoring Panel.

Recommendations

That the Planning Committee considers the conclusions drawn from the Performance Monitoring Panel and to agree any comments Members may wish to report back to the

Panel, following the previous recommendations and conclusions of the Performance Monitoring Panel.

The recommendations presented to the Performance Monitoring Panel included that the Review of Implemented Planning Decisions tour remains to occur every two years, along with the extension of the member invitation to include members of the Planning Committee, as has taken place since 2025.

Reasons for Recommendations

In order to inform the Planning Committee of the conclusions of the review and give an opportunity for Committee members to feed back to the Performance Monitoring Panel.

Other Options Considered

That the Planning Committee does nothing. However, this would not be a recommended course of action as it would be contrary to the purpose of the 'Implemented Planning Decisions' review, which is to improve the quality and consistency of decision-making, strengthen public confidence in the planning system, and help with reviews of planning policy.

1. Background

- 1.1 The 'Probity in Planning' guide (updated 2019), prepared by The Local Government Association, highlights the need to review past planning decisions and outcomes (specifically detailed within section 13 of the report).
- 1.2 This guide details that it "is good practice for councillors to visit a sample of implemented planning permissions to assess the quality of the decisions and the development". The guide suggests that this activity "should improve the quality and consistency of decision-making, strengthen public confidence in the planning system, and can help with reviews of planning policy".
- 1.3 Part 3 (Delegations), Section D (Delegations to Committees) of the South Holland District Council Constitution states that the Performance Monitoring Panel shall 'revisit a number of implemented planning decisions'. As such, at South Holland District Council, this review is undertaken by the Performance Monitoring Panel.
- 1.4 The Panel had last carried out a tour of the District on 25th October 2023. It should be noted that these tours had previously taken place on an annual basis; however, as per the previous report and conclusions as agreed, the tour now takes place every two years.

2. The Tour

The latest tour took place on 16th October 2025, with morning and afternoon sessions taking place on a number of development sites. The tour was prepared by Planning Officers in advance, and invitations were issued to all members of the Performance Monitoring Panel (11 members) and Planning Committee (11 members). Five Members took part in the two sessions and were present for the whole day.

- 2.1 The morning session comprised visits to Holbeach, Cowbit and a commercial site near to Spalding, which itself was visited within the previous tour. The afternoon session comprised visits to Gosberton and two sites in Donington.
- 2.2 A selection of five residential developments were visited, of a differing variety, in addition to a single commercial site.
- 2.3 The sites chosen comprised both small and large-scale schemes, with some schemes having been complete and others currently undergoing construction.
- 2.4 On the day of the visits, Members were provided with an information pack detailing background information and key issues relating to each site, including a brief history of planning applications for each site. Site layout plans of each site were also provided.
- 2.5 The members and officers viewed each site as a collective and allowed for each participant to offer their individual thoughts and opinions on each development, with verbal assistance being provided by officers on site where necessary or requested. Members' feedback and thoughts for each site were noted by officers and forms the notes compiled in Appendix A.
- 2.6 A debriefing was held after the afternoon session, led by Councillor Alcock, to review the day and draw conclusions from the sessions. This allowed clarity to be provided in respect of the key matters raised within the morning and afternoon sessions.

3. Conclusion

- 3.1 The main conclusions noted throughout the exercise, which have been detailed within Appendix A, included the lack of private front gardens, with this matter being commonly replaced with parking that is located in front of residential units. Members reiterated the preference towards 'side parking' or communal parking areas, as opposed to the siting of parking to the front of plots.

Concerns relating to design were brought forward throughout, frequently regarding a somewhat uniform approach and material finish, throughout the larger schemes. It was noted that the sites with varying designs/house types were viewed in a more positive light, than those of uniform or mirrored units. Some minor details, such as the use of false windows and reliefs on brickwork, such as specific bespoke detailing, were viewed as having the ability to improve the character and overall visual quality of the sites.

- 3.2 Furthermore, at almost all the sites visited, Members voiced concern towards the siting of private bin collection points. These were often placed in front of houses or

within more prominent locations, and members believed that in instances where the provision of such areas are unavoidable or required, further consideration should be had towards their appearance and siting, with a need for these to be located away from residential properties.

Finally, it was also noted that large open space, which featured a more central siting or comprised a provision that could be more easily accessible and utilised, for a specific purpose, by residents was viewed more positively than those which had open space but lacked maintenance and resulted in a somewhat unusable area. Some sites also lacked any adequate provision of open space at all.

3.3 It was noted that some schemes appeared, due to differing levels, to have 'sloping drives', which resulted in water run-off towards the host dwellings and their associated garages or gardens, with this being highlighted as an area of concern and need for further attention in terms of drainage.

3.3 A fully summary of comments can be found in Appendix A.

Implications

South and East Lincolnshire Councils Partnership

None.

Corporate Priorities

The review of implemented planning decisions relates to the following corporate priorities:

- Your Home – Enable effective planning and delivery of housing solutions to meet local needs and aspirations to ensure that our residents have access to a range of housing options in the district; and ensure that our residents are enabled to live in high quality housing no matter the tenure;
- Your Place – Support Spalding and Holbeach to be attractive places that people want to visit, live and work whilst supporting all other towns and villages in the district to meets the needs of their communities.
- Your Place - Create further outdoor spaces and new woodlands to enhance the natural environment and to encourage our communities to have active lifestyles

Staffing

None.

Workforce Capacity Implications

None.

Constitutional and Legal Implications

None.

Data Protection

None.

Financial

None.

Risk Management

None.

Stakeholder / Consultation / Timescales

None.

Reputation

None.

Contracts

None.

Crime and Disorder

None.

Equality and Diversity / Human Rights / Safeguarding

None.

Health and Wellbeing

None.

Climate Change and Environment Impact Assessment

None.

Acronyms

None.

Appendices

Appendices are listed below and attached to the back of the report:

Appendix A	Summary of Comments from the Review of Implemented Planning Decisions Tour (16 th October 2025)
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Background Papers

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.'

Chronological History of this Report

A report on this item has not been previously considered by a Council body'. Also delete the below text.

Report Approval

Report author:

Jacob Bryan, Planning Officer,
Jacob.bryan@sholland.gov.uk

Signed off by:

Phil Norman – Assistant Director – Planning and Strategic
Infrastructure
pnorman@sholland.gov.uk