

AGENDA



- Committee - **PLANNING COMMITTEE**
- Date & Time - Wednesday, 29 April 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: 21 April 2026

A G E N D A

1. Apologies for absence.
2. Minutes - (Pages 5 - 8)
To sign as a correct record the minutes of the meeting held on 11 March 2026 (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. H22-0245-26 - (Pages 9 - 14)
Electricity application for Section 37 Overhead Line Works on the existing 400 kV 4ZM Lines in the vicinity of the Spalding Tee-Point, Surfleet Seas End and Moulton Seas End (report of the Development Manager enclosed).
6. H22-0246-26 - (Pages 15 - 20)
Electricity application for Section 37 Overhead Line Works on the existing 400 kV 2WS Lines in the vicinity of the Spalding Tee-Point, Surfleet Seas End and Moulton Seas End (report of the Development Manager enclosed).
7. H09-1109-25 - (Pages 21 - 38)
Full application for Use of Site as Gypsy Traveller Plot on Storage Yard – Retrospective at Ravens Gate, Holbeach St Johns, Spalding (report of the Development Manager enclosed).
8. H02-0759-25 - (Pages 39 - 130)
Full application for Development for 80 dwellings with access, landscape, drainage, open space and associated infrastructure at Land East of Normanton Road, Crowland (report of the Development Manager enclosed)
9. H11-0056-26 - (Pages 131 - 146)
Full application for Change of use from former gift & interiors shop to ground floor and hair & beauty salon on first floor to solicitors office to include alterations and insertion of rooflights at 4 High Street, Long Sutton, Spalding (report of Development Manager enclosed).
10. Planning Appeals - (Pages 147 - 150)
To provide an update on recent appeal decisions (report of the Development Manager enclosed).
11. Planning Updates.

12. 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, 11 March 2026 at 6.30 pm.

PRESENT

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

P Barnes
H J W Bingham

C J T H Brewis
A Casson

A C Tennant
J Tyrrell

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

53. **APOLOGIES FOR ABSENCE.**

The Senior Planning Lawyer reported that notification had been received of the following substitution for this meeting only:

- Councillor Barnes was replacing Councillor Alcock.

Apologies for absence had been received from Councillor T Sneath.

54. **MINUTES**

Consideration was given to the minutes of the meeting held on 11 February 2026.

AGREED:

That the minutes be signed as a correct record.

55. **DECLARATION OF INTERESTS.**

There were none.

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

There were none.

57. **H02-0511-25**

Planning No. and Applicant
H02-0511-25 Seagate Homes

Proposal
Full application for proposed development of 9 Dwellings at Land off Postland Road, Crowland.

PLANNING COMMITTEE - 11 March 2026

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:

- Councillor Astill submitted comments as a ward member that were read out and highlighted that the proposal offered a rarer executive housing mix but also raised concerns around being outside the Local Plan boundary and existing Anglian Water capacity issues.
- The report was clear on the reasons for refusal and particular regard should be given to the comments of the Environment Agency.
- The proposed dwellings provided lower density; higher specification housing not typically delivered in Crowland.
- Although the proposal was outside the settlement boundary, the site felt visually enclosed by existing commercial and residential development and therefore should not be considered countryside
 - Officers noted that the red line boundary within the Local Plan determined whether a piece of land is countryside, not the built form on the ground.
- Queried whether the site could have been pursued as a rural exception site which would have allowed for a larger affordable housing scheme.
 - Officers responded that rural exception sites must meet strict criteria, particularly in demonstrating a proven local need for specific type and scale of housing.
- Noted that adjacent land already had permission for high-density housing and therefore the low-density nature of this application would provide a buffer to screen noise from the commercial uses surrounding the site.
- Approval of this application would effectively push the settlement boundary outside of that outlined in the Local Plan.
- Acceptance that the red line was important, but the scheme felt high-quality and would be preferred to other types of development.
- Queried whether the proposed site was lower than the adjacent site in terms of flood risk.
 - Officers confirmed this was the case.
- Approving an application outside the Local Plan boundary would set a precedent and could lead to a surge of applications of a similar nature.
- The application provided a better-quality layout and housing mix than other developments, despite the flood risk.

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.

The initial vote to refuse the application was lost. Following further debate, the vote to refuse the application was re-tabled as no alternative proposal with reasons was put forward.

PLANNING COMMITTEE - 11 March 2026

AGREED:

That the application be refused for the reasons set out at section 9.0 of the report.

(Moved by Councillor Avery, Seconded by Councillor Beal)

Oral representations were received in respect of the above application in line with the Council's scheme of public speaking at Planning Committee meetings:

Supporter: David Laidler (Seagate Homes) (Applicant)

58. **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.

59. **PLANNING UPDATES.**

There were none.

60. **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.**

There were none.

(The meeting ended at 7.20 pm)

(End of minutes)

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SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee - 29 April 2026

(Author: Joe O'Sullivan - NSIP Consultant Planner)

Purpose: To consider Planning Application H22-0245-26

Application Number: H22-0245-26

Date Received: 13 March 2026

Application Type: ELECTRICITY

Description: Section 37 Overhead Line Works on the existing 400 kV 4ZM Lines in the vicinity of the Spalding Tee-Point, Surfleet Seas End and Moulton Seas End

Location: Vicinity of the Spalding Tee-Point Surfleet Seas End Moulton Seas End

Applicant: National Grid

Agent: Atkins Realis

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H22-0245-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 To inform members of two applications which are to be made to Secretary of State (SoS) for the Department for Energy, Security and Net Zero (DESNZ) by National Grid Electricity Transmission plc ('NGET') under the provisions of the Electricity Act 1989. The application the subject of this Consultation seeks consent for proposed works along the existing 4ZM line.

1.2 The purpose of the Report is to agree this Council's response to the prior formal consultation to these applications. And that, the Council response be provided via the appropriate Form B certificate and returned to the applicant accordingly.

2.0 PROPOSAL

2.1 The application which is the subject of this Consultation seeks consent for proposed works along the existing 4ZM line. The existing 400kV overhead line would be reconfigured to turn into and out of the new Weston Marsh Substation A as new overhead line for a length of 900 metres with 4 new pylons. It includes the dismantling and removal of 2 pylons and approximately 730 metres of overhead line along the 4ZM route. The Proposal will therefore result in the net addition of 2 new pylons and approximately 170 metres of Overhead Line.

2.2 The proposal also includes associated construction works, comprising the construction compounds and haul road. Access to the proposed construction works would be provided via Stone Gate, which provides connection to the south via the A151. To minimise construction traffic flows on Marsh Road, a dedicated haul road is proposed, to provide construction access from Stone Gate to the working area, with Highway improvement works anticipated to be required in places along the southern extents of Stone Gate.

3.0 SITE DESCRIPTION

- 3.1 The Scheme is located approximately 2.5 km north of Weston, 2.2 km east of Surfleet Seas End, and 2.3 km west of Moulton Seas End, and is located south-west of the Spalding Tee-Point and the existing 4ZM and 2WS overhead lines.
- 3.2 The site is located within open countryside but not within a landscape or ecological designated site. It is in proximity to PROW's; notably MON 2/1 & Wstn 7/1, and residential properties. The site and surrounding area consist of flat Agricultural Land, provisional ALC Grade 1, which is Best and Most Versatile Agricultural Land. It is also located within Flood Zone 3.

4.0 RELEVANT PLANNING POLICIES

- 4.1 Not relevant in this instance.

5.0 RELEVANT PLANNING HISTORY

- 5.1 No relevant planning history

6.0 REPRESENTATIONS

- 6.1 Before the submission of a Section 37 application, it is the responsibility of the applicant, to consult with statutory stakeholders.
- 6.2 The Applicant has consulted with Natural England, Environment Agency, Historic England and the Marine Management Organisation prior to the submission of the Form B. No substantive concerns were raised.
- 6.3 The District Council has consulted surrounding neighbours, Parish Councils and internal departments in relation to Environmental Health, Ecology and Heritage matters.
- 6.4 Weston Parish Council - Comments awaited
- 6.5 Moulton Parish Council - Comments awaited
- 6.6 Surfleet Parish Council - Comments awaited
- 6.7 Environmental Protection - Comments awaited
- 6.8 Ecology- Comments awaited
- 6.9 Heritage - Comments awaited
- 6.10 Public Representation
- 6.11 40 letters of objection have been received including from Lincolnshire Against Needless Destruction (LAND) and Meridian Action Group (MAG). A summary of these Objections are as follows:
- Project Fragmentation between different consenting regimes and different pieces of infrastructure.
 - EIA Compliance in respect of cumulative impacts particularly Weston Marsh Substation.
 - Procedural Prematurity in advance of the submission of the Weston Marsh Substation application.
 - Permanent Loss of Best and Most Versatile Agricultural Land.
 - Landscape and Visual Impact.

7.0 CONSIDERATIONS

- 7.1 The construction of 400kV overhead lines (amongst other works) requires consent under Section 37 of the Electricity Act 1989 and will be determined by DESNZ. The District Council has been notified of the applications in its capacity as the local planning authority for the area in which the applications are located. This involves prior formal consultation with the local planning authorities and other bodies, and South Holland District Council is a formal consultee in this process. At the same time, National Grid Electricity Transmission plc is seeking a direction from the Secretary of State that the development is 'deemed' to be granted by virtue of Section 90 of the Town and Country Planning Act 1990.
- 7.2 The District Council is required to indicate whether:
- (i) it has any objections to the proposal (or considers whether the development should be subject to any conditions); and
- (ii) it wishes to be heard at a public inquiry into the proposal (paragraph 2 of Schedule 8 of the Electricity Act 1989).
- Responses to these applications are sought by the 12th May 2026.
- 7.3 **Assessment**
- 7.4 This report details the assessment of a proposal for the construction of an overhead electricity line, specifically under Section 37 of the Electricity Act 1989, which requires consent from the Secretary of State for such projects; and seeks a decision on the Council's response to the proposal.
- 7.5 In this instance, there are no planning applications to determine under the Planning Acts, but instead, the Council is a consultee for its view on the proposal via Form B, which is a statutory consultation document submitted by the applicant to the LPA. The LPA must complete Part Two (Certificate) and Part Three (Consultations and Observations) and return it within two months.
- 7.6 When considering whether to grant "deemed planning permission" under Section 37 of the Electricity Act 1989 for an overhead power line, the Secretary of State primarily assesses the:
- need for the electricity infrastructure
 - environmental impact of the proposed line, taking into account factors like its visual impact on the landscape, potential disruption to local communities, and effects on wildlife; and
 - potential mitigation measures proposed by the applicant.
- 7.7 Need
- 7.8 The new Weston Marsh Substation A (the subject of a future planning application) and associated Overhead Line works are required to provide the connection of the Outer Dowsing Offshore Windfarm to the National Electricity Transmission System. The Outer Dowsing Offshore Windfarm was granted consent by the SoS for DESNZ on 10 February 2026.
- 7.9 The decision for the Outer Dowsing Windfarm by SoS for DESNZ establishes the need and benefits of the scheme and therefore, connecting ODOW to the NETS at the earliest opportunity is critical for the delivery of clean, green energy. There is an agreement in place between National Energy System Operator (NESO) and ODOW a grid connection for ODOW in the vicinity of Weston Marsh by 2030.
- 7.10 This is in advance of the Grimsby to Walpole DCO submission and therefore there is a need to deliver the infrastructure in advance in order to connect the consented ODOW to the grid.
- 7.11 Landscape & Visual
- 7.12 The proposed development is located within the Open Countryside, in proximity to a number of PROWs; most notably MON2/1 & Wstn7/1. It is not located within a particular landscape destination. There are also a number of residential receptors with proximity of the overhead line works.

- 7.13 It must be acknowledged however that the area is already dominated by energy Infrastructure including the existing overhead Lines 4ZM and 2WS.
- 7.14 The new pylons will be situated adjacent to existing infrastructure. Visual impact of the construction activities will be temporary. Nevertheless, views will change; however, that scheme will not introduce new infrastructure that does not already exist within the existing Landscape, but change the position of such infrastructure in relation to the existing Overhead lines.
- 7.15 The mitigation measures will include Landscape and Ecological Management Plan (LEMP) based upon an Outline LEMP to be submitted with the formal s37 application to the SOS. The LEMP as a mitigation measure should be secured by appropriately worded planning conditions, attached to the deemed consent under section 90 of the Planning Act.
- 7.16 There will be an adverse impact upon the Landscape; however, the mitigation measures proposed above will minimise the adverse impacts as far as possible.
- 7.17 Loss of Best and Most Versatile Agricultural Land
- 7.18 The proposed development is located on provisional Grade 1 Agricultural Land and therefore would constitute Best and Most Versatile Agricultural Land (BMVAL).
- 7.19 The permanent loss of BMVAL is in relation to the pylon foundation area which equates to approximately 100m² per Pylon. The s37 Overhead Line Works across the two consultations would result in the permanent loss of up to 0.04 hectares for the siting of seven new pylons (assuming a 10 x 10 m footprint and that three of the existing pylons to be removed would be reinstated to agricultural use (noting one removed pylon is not situated on agricultural land)).
- 7.20 Temporary loss during construction in relation to construction compounds and haul roads will be reinstated to agricultural use in accordance with a Soil Management Plan.
- 7.21 The mitigation measures will include a Soil Management Plan (SMP) based upon an Outline SMP, to be submitted with the formal s 37 application to the SOS. The SMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.
- 7.22 There will be an adverse impact upon BMVAL; however the mitigation measures proposed above will minimise the adverse impacts as far as possible.
- 7.23 Ecology
- 7.24 The proposed development is not located within an ecological designation. The Wash Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI) and The Wash and North Norfolk Coast Special Area of Conservation (SAC) are within 10 km. In addition, Nene Washes SPA, Ramsar site and SSSI, are within 30 km of the Scheme Site Boundary.
- 7.25 There is one SSSI (Surfleet Lows SSSI) and one Local Nature Reserve (LNR) (Vernatt's LNR) present within 5 km. There are 12 sites non-statutorily designated for their biodiversity value as Local Wildlife Sites (LWSs) within 2 km of the Scheme, of which four are located within 0.5 km.
- 7.26 The section 37 submission will include a Habitat Regulations Assessment Screening Report and appropriate ecological surveys. The mitigation measures will include Landscape and Ecological Management Plan (LEMP) based upon an Outline LEMP to be submitted with the formal section 37. The LEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.
- 7.27 The mitigation measures proposed above will minimise the adverse impacts as far as possible.

7.28 Heritage

7.29 There are no Scheduled Monuments or Listed Buildings or Conservation Areas located within 500 metres of the site. The closest designated Heritage Assets are Wragg Marsh Farmhouse and Pigeoncote (both Grade II listed) at a distance of approximately 680 metres. There is no direct impact upon these heritage assets. Indirect impacts during construction are temporary and reversible. Archaeological matters will be considered by Lincolnshire County Council.

The mitigation measures will include a Construction Environmental Management Plan (CEMP) based upon an Outline CEMP to be submitted with the formal section 37 application. The CEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.

7.30 The mitigation measures proposed above will minimise the adverse impacts as far as possible.

7.31 Construction Impacts

7.32 The Construction Activities and their impact would be mitigated through a Construction Environmental Management Plan (CEMP) based upon an Outline CEMP to be submitted with the formal s37 application to the SOS. The CEMP would include measures to mitigate and manage construction impacts, including hours of operation, site management, noise abatement, dust management, pollution prevention and control etc.

7.33 As part of the CEMP a Communications Plan and Construction Traffic Management Plan (CTMP) would be prepared. The CEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.

7.34 There will be an adverse construction impact however, the mitigation measures proposed above will minimise the adverse impacts as far as possible and such impacts are temporary.

7.35 **Conclusion**

7.36 South Holland District Council have been consulted upon the overhead line works. This consultation is in advance of the section 37 submission and its purpose is to allow South Holland District Council to provide their views on the proposals. The SoS will make a decision upon the section 37 consent once submitted.

7.37 The main mitigation is in the form of a Soil Management Plan, Construction Environmental Management Plan and a Landscape and Ecological Management Plan, all based upon Outline Management Plans to be submitted as part of the Section 37 submission and secured by planning conditions.

7.38 Lincolnshire County Council have also been consulted by the Applicant and will provide their responses within their Form B on matters such as Highways as the Local Highway Authority, Flood Risk and Drainage as the Local Lead Flood Authority and Archaeological matters.

8.0 RECOMMENDATIONS

8.1 That National Grid Electricity Transmission plc ('NGET') be advised that the District Planning Authority (on behalf of South Holland District Council) has no objection to make to the proposed development, as described in Form B, accompanying plans and Environmental Summary Report subject to:

i.the Secretary of State's consideration of the above concerns particularly in relation to loss of BMVAL and construction impacts upon the local community.

ii.that the Secretary of State takes account of the cumulative impact of the Weston Marsh Substation application which is yet to be submitted.

iii.the suggested mitigation in the form of a Soil Management Plan, Construction Environmental Management Plan and a Landscape and Ecological Management Plan all based upon Outline Management Plans to be submitted as part of the Section 37 submission be secured by planning conditions attached to the deemed consent under section 90 of the Planning Act.

8.2 Subject to the Secretary of States consideration of the above matters and the imposition of planning conditions to secure appropriate mitigation the District Council does not request that a public inquiry be held pursuant to paragraph 2 of Schedule 8 of the Electricity Act 1989 before the Secretary of State reaches a decision on the application. That the appropriate Form B certificate be duly completed and returned to the applicant accordingly.

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

SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee - 29 April 2026

(Author: Joe O'Sullivan - NSIP Consultant Planner)

Purpose: To consider Planning Application H22-0246-26

Application Number: H22-0246-26

Date Received: 13 March 2026

Application Type: ELECTRICITY

Description: Section 37 Overhead Line Works on the existing 400 kV 2WS Lines in the vicinity of the Spalding Tee-Point, Surfleet Seas End and Moulton Seas End

Location: Vicinity of the Spalding Tee-Point Surfleet Seas End and Moulton Seas End

Applicant: National Grid

Agent: Atkins Realis

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H22-0246-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

- 1.1 To inform members of two applications which are to be made to Secretary of State (SoS) for the Department for Energy, Security and Net Zero (DESNZ) by National Grid Electricity Transmission plc ('NGET') under the provisions of the Electricity Act 1989. The application the subject of this Consultation seeks consent for proposed works along the existing 2WS line.
- 1.2 The purpose of the Report is to agree this Council's response to the prior formal consultation to these applications. And that, the Council response be provided via the appropriate Form B certificate and returned to the applicant accordingly.

2.0 PROPOSAL

- 2.1 The application which is the subject of this Consultation seeks consent for proposed works along the existing 2WS line. The existing 400kV overhead line would be reconfigured to turn into the new Weston Marsh Substation A (the subject of a future planning application) for a length of 900 metres with three new pylons. It includes the dismantling and removal of 2 pylons and approximately 830 metres of overhead line along the 2WS route. The Proposal will therefore result in the net addition of one new pylon and approximately 70 metres of Overhead Line.
- 2.2 The proposal also includes the associated construction works, comprising construction compounds and a haul road. Access to the proposed construction works would be provided via Stone Gate, which provides connections to the south via the A151. To minimise construction traffic flows on Marsh Road, a dedicated haul road is proposed, to provide construction access from Stone Gate to the working area, with Highway improvement works anticipated to be required in places along the southern extents of Stone Gate.

3.0 SITE DESCRIPTION

- 3.1 The Scheme is located approximately 2.5 km north of Weston, 2.2 km east of Surfleet Seas End, and 2.3 km west of Moulton Seas End, and is located south-west of the Spalding Tee-Point and the existing 4ZM and 2WS overhead lines.
- 3.2 The site is located within open countryside but not within a landscape or ecological designated site. It is in proximity to PROW's; notably MON2/1 & Wstn7/1, and residential properties. The site and surrounding area consist of flat Agricultural Land, provisional ALC Grade 1, which is Best and Most Versatile Agricultural Land. It is also located within Flood Zone 3.

4.0 RELEVANT PLANNING POLICIES

- 4.1 Not relevant in this instance.

5.0 RELEVANT PLANNING HISTORY

- 5.1 No relevant planning history.

6.0 REPRESENTATIONS

- 6.1 Before the submission of a Section 37 application, it is the responsibility of the applicant, to consult with statutory stakeholders.
- 6.2 The Applicant has consulted with Natural England, Environment Agency, Historic England and the Marine Management Organisation prior to the submission of the Form B. No substantive concerns were raised.
- 6.3 The District Council has consulted surrounding neighbours, Parish Councils and internal departments in relation to Environmental Protection, Ecology and Heritage matters.
- 6.4 Weston Parish Council - Comments awaited
- 6.5 Moulton Parish Council - Comments awaited
- 6.6 Surfleet Parish Council - Comments awaited
- Environmental Protection - Comments awaited
- 6.7 Ecology- Comments awaited
- 6.8 Heritage - Comments awaited
- 6.9 Public Representation
- 6.10 42 letters of objection have been received including from Lincolnshire Against Needless Destruction (LAND) and Meridian Action Group (MAG). A summary of these Objections are as follows:
- Project Fragmentation between different consenting regimes and different pieces of infrastructure.
 - EIA Compliance in respect of cumulative impacts particularly Weston Marsh Substation.
 - Procedural Prematurity in advance of the submission of the Weston Marsh Substation application.
 - Permanent Loss of Best and Most Versatile Agricultural Land.
 - Landscape and Visual Impact.

7.0 CONSIDERATIONS

7.1 The construction of 400kV overhead lines (amongst other works) requires consent under Section 37 of the Electricity Act 1989 and will be determined by DESNZ. The District Council has been notified of the applications in its capacity as the local planning authority for the area in which the applications are located. This involves prior formal consultation with the local planning authorities and other bodies, and South Holland District Council is a formal consultee in this process. At the same time, National Grid Electricity Transmission plc is seeking a direction from the Secretary of State that the development is 'deemed' to be granted by virtue of Section 90 of the Town and Country Planning Act 1990.

7.2 The District Council is required to indicate whether:

(i) it has any objections to the proposal (or considers whether the development should be subject to any conditions); and

(ii) it wishes to be heard at a public inquiry into the proposal (paragraph 2 of Schedule 8 of the Electricity Act 1989).

7.3 Responses to these applications are sought by the 12th May 2026.

7.4 **Assessment**

7.5 This report details the assessment of a proposal for the construction of an overhead electricity line, specifically under Section 37 of the Electricity Act 1989, which requires consent from the Secretary of State for such projects; and seeks a decision on the Council's response to the proposal.

7.6 In this instance, there are no planning applications to determine under the Planning Acts, but instead, the Council is a consultee for its view on the proposal.

7.7 When considering whether to grant "deemed planning permission" under Section 37 of the Electricity Act 1989 for an overhead power line, the Secretary of State primarily assesses the:

· need for the electricity infrastructure

· environmental impact of the proposed line, taking into account factors like its visual impact on the landscape, potential disruption to local communities, and effects on wildlife; and

· potential mitigation measures proposed by the applicant.

7.8 Need

7.9 The new Weston Marsh Substation A (the subject of a future planning application) and associated Overhead Line works are required to provide the connection of the Outer Dowsing Offshore Windfarm to the National Electricity Transmission System. The Outer Dowsing Offshore Windfarm was granted consent by the SoS for DESNZ on 10 February 2026.

7.10 The decision for the Outer Dowsing Windfarm by SoS for DESNZ establishes the need and benefits of the scheme and therefore, connecting ODOW to the NETS at the earliest opportunity is critical for the delivery of clean, green energy. There is an agreement in place between National Energy System Operator (NESO) and ODOW a grid connection for ODOW in the vicinity of Weston Marsh by 2030.

7.11 This is in advance of the Grimsby to Walpole DCO submission and therefore there is a need to deliver the infrastructure in advance in order to connect the consented ODOW to the grid.

7.12 Landscape & Visual

7.13 The proposed development is located within the Open Countryside, in proximity to a number of

PROWs; most notably MON2/1 & Wstn7/1. It is not located within a particular landscape destination. There are also a number of residential receptors with proximity of the overhead line works.

- 7.14 It must be acknowledged however, that the area is already dominated by energy Infrastructure including the existing overhead Lines 4ZM and 2WS.
- 7.15 The new pylons will be situated adjacent to existing infrastructure. Visual impact of the construction activities will be temporary. Nevertheless, views will change however, the scheme will not introduce new infrastructure that does not already exist within the existing Landscape, but change the position of such infrastructure in relation to the existing Overhead lines.
- 7.16 The mitigation measures will include Landscape and Ecological Management Plan (LEMP) based upon an Outline LEMP to be submitted with the formal s37 application to the SOS. The LEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.
- 7.17 There will be an adverse impact upon the Landscape; however, the mitigation measures proposed above will minimise the adverse impacts as far as possible.
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- 7.19 The proposed development is located on provisional Grade 1 Agricultural Land and therefore would constitute Best and Most Versatile Agricultural Land (BMVAL).
- 7.20 The permanent loss of BMVAL is in relation to the pylon foundation area which equates to approximately 100m² per Pylon. The s37 Overhead Line Works across the two consultations would result in the permanent loss of up to 0.04 hectares for the siting of seven new pylons (assuming a 10 x 10 m footprint and that three of the existing pylons to be removed would be reinstated to agricultural use (noting one removed pylon is not situated on agricultural land)).
- 7.21 Temporary loss during construction in relation to construction compounds and haul roads will be reinstated to agricultural use in accordance with a Soil Management Plan.
- 7.22 The mitigation measures will include Soil Management Plan (SMP) based upon an Outline SMP to be submitted with the formal s37 application to the SOS. The SMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.
- 7.23 There will be an adverse impact upon BMVAL; however, the mitigation measures proposed above will minimise the adverse impacts as far as possible.
- 7.24 Ecology
- 7.25 The proposed development is not located within an ecological designation. The Wash Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI) and The Wash and North Norfolk Coast Special Area of Conservation (SAC) are within 10 km. In addition, Nene Washes SPA, Ramsar site and SSSI, are within 30 km of the Scheme Site Boundary.
- 7.26 There is one SSSI (Surfleet Lows SSSI) and one Local Nature Reserve (LNR) (Vernatt's LNR) present within 5 km. There are 12 sites non-statutorily designated for their biodiversity value as Local Wildlife Sites (LWSs) within 2 km of the Scheme, of which four are located within 0.5 km.
- 7.27 The section 37 submission will include a Habitat Regulations Assessment Screening Report and appropriate ecological surveys. The mitigation measures will include Landscape and Ecological Management Plan (LEMP) based upon an Outline LEMP to be submitted with the formal section 37 application. The LEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.

7.28 The mitigation measures proposed above will minimise the adverse impacts as far as possible.

7.29 Heritage

There are no Scheduled Monuments or Listed Buildings or Conservation Areas located within 500 metres of the site. The closest designated Heritage Assets are Wragg Marsh Farmhouse and Pigeoncote (both Grade II listed) at a distance of approximately 680 metres. There is no direct impact upon these heritage assets. Indirect impacts during Construction are temporary and reversible. Archaeological matters dealt with by LCC.

7.30 The mitigation measures will include a Construction Environmental Management Plan (CEMP) based upon an Outline CEMP to be submitted with the formal section 37 application to the SOS. The CEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.

7.31 The mitigation measures proposed above will minimise the adverse impacts as far as possible.

7.32 Construction Impacts

7.33 The Construction Activities and their impact would be mitigated through a Construction Environmental Management Plan (CEMP) based upon an Outline CEMP to be submitted with the formal s37 application to the SOS. The CEMP would include measures to mitigate and manage construction impacts, including hours of operation, site management, noise abatement, dust management, pollution prevention and control etc.

7.34 As part of the CEMP a Communications Plan and Construction Traffic Management Plan (CTMP) would be prepared. The CEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.

7.35 There will be an adverse construction impact however, the mitigation measures proposed above will minimise the adverse impacts as far as possible and such impacts are temporary in nature.

Conclusion

7.36 South Holland District Council have been consulted upon the overhead line works. This consultation is in advance of the s37 submission and its purpose is to allow South Holland District Council to provide their views on the proposals. The SoS will make a decision upon the s37 consents once submitted.

7.37 The main mitigation is in the form of a Soil Management Plan, Construction Environmental Management Plan and a Landscape and Ecological Management Plan all based upon Outline Management Plans to be submitted as part of the Section 37 submission and secured by planning conditions.

7.38 Lincolnshire County Council have also been consulted by the Applicant and will provide their responses within their Form B on matters such as Highways as the Local Highway Authority, Flood Risk and Drainage as the Local Lead Flood Authority and Archaeological matters.

8.0 RECOMMENDATIONS

8.1 That National Grid Electricity Transmission plc ('NGET') be advised that the District Planning Authority (on behalf of South Holland District Council) has no objection to make to the proposed development as described in Form B, accompanying plans and Environmental Summary Report subject to:

i.the Secretary of State's consideration of the above concerns particularly in relation to loss of BMVAL and construction impact upon the Community.

ii.that the Secretary of State takes account of the cumulative impact of the Weston Marsh Substation application which at the time of writing is yet to be submitted.

iii.the suggested mitigation in the form of a Soil Management Plan, Construction Environmental Management Plan and a Landscape and Ecological Management Plan all based upon Outline Management Plans to be submitted as part of the Section 37 submission and secured by planning conditions attached to the deemed consent under section 90 of the Planning Act.

8.2 Subject to the Secretary of States consideration of the above matters and the imposition of planning conditions to secure appropriate mitigation the District Council does not request that a public inquiry be held pursuant to paragraph 2 of Schedule 8 of the Electricity Act 1989 before the Secretary of State reaches a decision on the application. That the appropriate Form B certificate be duly completed and returned to the applicant accordingly.

Background papers:- Planning Application Working File

Lead Contact Officer

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Agenda Item 7.

SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee - 29 April 2026

(Author: Mark Niland - Planning Officer)

Purpose: To consider Planning Application H09-1109-25

Application Number: H09-1109-25

Date Received: 12 November 2025

Application Type: FULL

Description: Use of Site as Gypsy Traveller Plot on Storage Yard - Retrospective

Location: Ravens Gate Holbeach St Johns Spalding

Applicant: Mr L Gray

Agent: Alexandra Design

Ward: Whaplode and Holbeach St Johns

Ward Councillors: Cllr A C Beal
Cllr P A Redgate

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-1109-25>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 This application is referred to Planning Committee, having been heard by Chairman's Panel where this item was requested to be heard before the Planning Committee.

2.0 PROPOSAL

2.1 Full planning permission is sought for the change of use of the land, to form a single Gypsy/Traveller residential plot, comprising the siting of one caravan together with the erection of an ancillary day room.

2.2 The proposed day room would measure approximately 7 metres by 6 metres and would be constructed in timber. It would provide a family room, kitchen and bathroom facilities for occupiers of the site. Sleeping accommodation would be provided within the caravan only.

2.3 The proposal would utilise the existing vehicular access. Foul drainage would be dealt with by way of a package treatment plant.

3.0 SITE DESCRIPTION

3.1 The application site lies to the west of Raven's Gate, a straight road running broadly north-south, with its southern point meeting the hamlet of Holbeach St Johns. The site lies within the countryside for the purposes of the South East Lincolnshire Local Plan and is therefore outside of any defined settlement boundary.

3.2 The application site is also located within flood zone 2 in accordance with Environment Agency maps for planning and in a low risk area in accordance with the South East Lincolnshire SFRA.

3.3 To the north of the application site, within the same wider landholding and shown within the blue line, is an area of land currently used as a storage yard, which has been in use for a number of years. Beyond that, separated by a narrow field, lies Ravensgate Lodge. On the opposite side of the road is Red Lodge, a detached residential property within a relatively spacious plot.

3.4 The wider site, comprising the red line and blue line land, is enclosed by trees and hedging. At the frontage there is a high close-boarded fence set back from the highway. Internally, the land has been subdivided by further close-boarded fencing.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

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 South East Lincolnshire Local Plan, March 2019

4.4 The most relevant policies are considered to be:

- Policy 1 - Spatial Strategy
- Policy 2 - Development Management
- Policy 3 - Design of New Development
- Policy 4 - Approach to Flood Risk
- Policy 20 - Gypsies, Travellers and Travelling Showpeople
- Policy 28 - Natural Environment
- Policy 36 - Vehicle and Cycle Parking

4.5 National Guidance

4.6 National Planning Policy Framework (NPPF), December 2024

4.7 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 and beautiful places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment

4.8 Planning Policy for Traveller Sites (PPTS), 2024

4.9 Policy A: Using evidence to plan positively and manage development
Policy B: Planning for traveller sites
Policy C: Sites in rural areas and the countryside
Policy H: Determining planning applications for traveller sites
Policy I: Implementation
Annex 1

4.10 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 The relevant planning history is as follows:

5.2 H09-0690-08 - Upgrading of buildings (former glasshouses) to be used as store in conjunction with existing industrial use, including landscaping and boundary fencing. Refused.

- 5.3 H09-0356-09 - Use of building for repair/renovation of forklift trucks including landscaping and security fencing. Refused and dismissed on appeal.
- 5.4 H09-0103-16 - Use of site for the storage of items in connection with the hiring of synthetic ice rinks and marquees, plus ancillary workshop and the erection of boundary fencing (retrospective). Approved.

It is noted that this approval related only to the part of the site nearest the road and not the whole of the current application site. Conditions were imposed in relation to noise, lighting and fencing.

- 5.5 A review of Google Earth aerial imagery indicates that in 2016 only the front part of the site nearest the road was in use. By 2018 the whole of the application site and land to the north appeared to contain vehicles and stored materials. This continued into 2020. By 2022 the rear of the site had been cleared and activity was again primarily focused on the front section benefitting from planning permission.

- 5.6 The following recent appeal decisions relating to Gypsy and Traveller sites are also material considerations:

- 5.7 H09-0087-22 - The Rear of Emmanuel House, Main Road, Holbeach Drove
Change of use from paddock to residential use for Gypsy and Travellers, including two static caravan pitches and associated touring caravans. Allowed on appeal.

The Inspector found that Policy 20 of the South East Lincolnshire Local Plan is not worded so as to prevent additional Gypsy and Traveller sites above the identified need, and that the GTAA did not account for all future need including in-migration.

- 5.8 H06-0532-23 - The Orchards, Blazegate, Gedney, Spalding

Change of use of agricultural land to provide five Gypsy/Traveller family pitches. Allowed on appeal in July 2024.

The Inspector concluded that, despite policy conflict in flood risk terms, the evidence demonstrated that occupiers would not be exposed to unacceptable flood risk and significant weight was given to the need for traveller accommodation.

6.0 REPRESENTATIONS

- 6.1 **Consultee responses are summarised as follows:**

6.2 Environment Agency

No objection. The site lies within Flood Zone 2, but the South East Lincolnshire SFRA hazard mapping indicates the site is outside hazard extents for the future climate change scenario. The EA recommends conditions requiring caravans to be adequately anchored and finished floor levels to be set a minimum of 600mm above ground level.

6.3 South Holland Drainage Board

Advises that Land Drainage Consent will be required.

6.4 Ecologist

No objection subject to the mandatory 10% biodiversity net gain being secured through off-site units prior to commencement.

6.5 Environmental Protection

No observations.

6.6 Lincolnshire County Council Highways and SuDS

No objection. The Highway Authority considers that the proposal would not be expected to have an unacceptable impact on highway safety or a severe residual cumulative impact on the highway network and would not increase surface water flood risk. It is noted that the site has an existing lawful use and access and that the proposal is for one family only.

6.7 Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, three letters of representation have been received, together with an objection from the local MP.

6.8 The material planning concerns raised can be summarised as follows:

- the site lies in the open countryside outside the development boundary;
- national policy advises traveller development in the open countryside should be very strictly limited;
- the proposal is in an unsustainable location with poor access to services and facilities;
- there are no footways, the adjacent road is subject to a 60mph speed limit, and walking would be unsafe;
- the proposal would lead to increased vehicle movements, including outside business hours;
- the access and surrounding highway conditions raise road safety concerns;
- there is concern regarding accidents having occurred on this stretch of road;
- insufficient evidence has been provided regarding alternative sites or essential need;
- the proposal could result in increased noise, loss of privacy and reduced security for nearby residents;
- further hardstanding may be required, with implications for drainage;
- concern has been raised regarding previous site uses and potential environmental impacts.

6.9 A letter of objection has also been received from the local MP raising concerns in relation to character, amenity and highway safety, including reference to the accident history in the locality. This can be read against the suite of documents associated with the 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 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.

7.5 The policies and provisions set out in the National Planning Policy Framework, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents and, with particular attention to this proposal, the Planning Policy for Traveller Sites (PPTS), 2024.

7.6 The key issues in the determination of this application are considered to be:

- The principle of development;
- The policy approach to Gypsy and Traveller sites and the issue of need;
- Sustainability of the location;
- Character and appearance;
- Residential amenity;
- Highway safety and parking;
- Flood risk and drainage; and

·Biodiversity net gain.

7.7 Principle of Development

7.8 The application falls to be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

7.9 The site lies within the countryside for the purposes of Policy 1 of the South East Lincolnshire Local Plan. However, Policy 1(d) does not preclude development in countryside locations. Rather, it provides that development will be permitted where it 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.

7.10 Importantly, paragraph 3.2.17 of the supporting text to Policy 1 confirms that housing needs may, by exception, be justified in the countryside, including Gypsy, Traveller and Travelling Showpeople accommodation under Policy 20. The proposal must therefore be assessed through the specific policy framework for traveller accommodation rather than treated as unacceptable solely by reason of its countryside location.

7.11 In that context, the proposal is considered acceptable in principle, subject to compliance with Policy 20 of the South East Lincolnshire Local Plan and other relevant development management considerations.

7.12 Approach to Traveller and Gypsy Sites, Need and Compliance with Policy 20

7.13 The Planning Policy for Traveller Sites (2024) requires local planning authorities to assess need, identify a supply of deliverable sites, and positively plan to meet the accommodation needs of Gypsies and Travellers. It also makes clear that criteria-based policies should be applied in decision-making so that applications for unallocated sites can be properly considered where they arise.

7.14 At the local level, Policies 1 and 20 of the South East Lincolnshire Local Plan (2019) provide a permissive, criteria-based framework for the delivery of Gypsy and Traveller accommodation. Policy 1(d) confirms that development in the countryside will be permitted where it meets sustainable development needs, and the supporting text at paragraph 3.2.17 expressly recognises that Gypsy and Traveller accommodation may, by exception, be justified in such locations. Policy 20 of the South East Lincolnshire Local Plan (2019) complements this approach by setting out detailed criteria against which proposals for Gypsy and Traveller sites must be assessed.

7.15 Policy 20 of the South East Lincolnshire Local Plan (2019) identifies an existing need for permanent residential pitches and confirms that additional needs arising during the plan period will be met through the determination of planning applications on unallocated sites. The supporting text refers to the Gypsy and Traveller Accommodation Assessment (GTAA) 2016, which identifies an element of "unknown need" arising from households not interviewed and future needs that may materialise over time. The Local Plan makes clear that such need is to be addressed through the development management process.

7.16 Significant weight is also afforded to the appeal decision at Emmanuel House, Holbeach Drove, in which the Inspector concluded that Policy 20 is not framed so as to resist additional Gypsy and Traveller sites beyond the identified need, and that the GTAA is dated and does not fully account for future demand, including in-migration. That reasoning is directly relevant to the assessment of this proposal.

7.17 In this context, the proposal, which seeks permission for a single Gypsy/Traveller pitch, is modest in scale and would make a contribution towards meeting an identified and ongoing need within the District. This is a material consideration that weighs in favour of the development.

7.18 Turning to the detailed criteria of Policy 20 of the South East Lincolnshire Local Plan (2019), the

proposal has been assessed against each requirement. The site can be adequately served by necessary infrastructure, including electricity, portable water and wastewater treatment. The scale of development is limited and would not dominate the nearest settled community nor place undue pressure on local infrastructure. The site is of sufficient size to provide an acceptable standard of amenity for its occupiers and is not located adjacent to uses that would be harmful to residential living conditions.

- 7.19 There is no evidence to suggest that the proposal would adversely affect heritage assets or areas of nature conservation interest. Highway matters have been considered in detail by the Local Highway Authority, which raises no objection, and the proposal is therefore acceptable in terms of access and vehicle generation.
- 7.20 Furthermore, the site is physically enclosed and well contained by existing boundary treatments, such that it is capable of assimilating into its surroundings without giving rise to unacceptable visual impact.
- 7.21 In terms of accessibility, the site is not among the most sustainable locations within the District and future occupiers would be reliant to a material degree on private transport. However, it is important to recognise that the site is not isolated in functional terms. The nearby settlements of Holbeach St Johns and Whaplode St Catherine are located within a reasonable travelling distance of the site.
- 7.22 Whilst these settlements are relatively small and offer only a limited range of services, they nonetheless provide a degree of connection to established communities. Future occupiers would also have access to a wider range of services and facilities within higher order settlements in the District, albeit primarily via private vehicle.
- 7.23 The principal remaining consideration in the context of Policy 20 of the South East Lincolnshire Local Plan (2019) relates to the site's location within Flood Zone 2. This matter is addressed in detail within the flood risk section of this report, where it is concluded that the Sequential Test is passed and that the proposal complies with Policy 4 of the South East Lincolnshire Local Plan (2019).
- 7.24 Taking all matters into account, and having regard to the permissive and criteria-based nature of Policies 1 and 20 of the South East Lincolnshire Local Plan (2019), the proposal is considered to comply with the requirements of Policy 20 of the South East Lincolnshire Local Plan (2019) and is supported in principle by national policy set out in the Planning Policy for Traveller Sites.
- 7.25 Character and Appearance - Layout, Design, Scale and Consideration of the Character of the Area
- 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.
- 7.26 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.
- 7.27 Likewise, Policy 2 of the South East Lincolnshire Local Plan 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 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.

- 7.28 It is acknowledged that Gypsy and Traveller sites, by their nature, can have the potential to introduce visual change within rural areas, particularly where they involve the siting of caravans and associated domestic paraphernalia. As such, careful consideration must be given to their siting, layout and screening to ensure that they assimilate appropriately into the landscape.
- 7.29 In this instance, the application site benefits from a high degree of existing enclosure, including close-boarded fencing, established hedgerows and tree planting along the site boundaries. This provides effective screening from the public realm, particularly from Raven's Gate, and limits the visual prominence of the site within the wider landscape.
- 7.30 The site is not located within a visually sensitive or designated landscape and is relatively contained within its immediate context. As a result, views into the site are limited and filtered, and the development would not appear as a prominent or incongruous feature in the wider countryside.
- 7.31 The proposed day room is modest in scale and of a domestic, ancillary form, and would sit comfortably within the confines of the plot. Whilst the internal layout of the site is functional in nature, reflecting its intended use, it is proportionate and appropriate to the scale of the proposal, which is limited to a single pitch.
- 7.32 The introduction of a caravan and associated domestic activity would inevitably result in some degree of visual change when compared to the existing lawful circumstances on site. However, given the scale of development, the existing lawful use of the site, and the strong boundary treatment and screening, this change is not considered to be harmful or to result in a material adverse impact on the character or appearance of the area.
- 7.33 Any potential visual impacts arising from external lighting or materials can be appropriately controlled by condition if necessary.
- 7.34 Taking all matters into account, the proposal is considered to be appropriately assimilated into its surroundings and would not result in unacceptable harm to the character or appearance of the area. The development therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).
- 7.35 Residential Amenity
- Section 12 of the National Planning Policy Framework (2024), in particular paragraph 135, requires that development should create places with a high standard of amenity for existing and future users, and ensure that the quality of life is not undermined by unacceptable impacts such as noise, disturbance or overlooking.
- 7.36 At the local level, Policy 2 of the South East Lincolnshire Local Plan (2019) requires that development proposals adequately consider their relationship to neighbouring land uses and should not result in unacceptable impacts by reason of noise, disturbance, visual intrusion or loss of amenity. Policy 3 further requires that development is appropriately designed and laid out so that it integrates with its surroundings and provides a suitable standard of living environment.
- 7.37 A number of letters of representation have been raised, concerning the impact of the proposal on neighbouring amenity, including:
- potential overlooking and loss of privacy;
 - increased noise and general disturbance arising from residential use;
 - a perceived reduction in security; and
 - intensification of activity compared to the existing use.

- 7.38 These concerns are acknowledged. The change from a storage-based use to residential occupation would alter the pattern of activity on the site, including comings and goings at different times of the day and evening. However, in assessing these impacts, it is important to consider the scale and nature of the proposal and its relationship to surrounding receptors.
- 7.39 The development comprises a single Gypsy/Traveller pitch only, which inherently limits the level of activity that would be generated. The site is physically separated from neighbouring dwellings by a reasonable distance and is enclosed by boundary treatments including fencing and vegetation, which provides a degree of visual containment and screening.
- 7.40 In terms of overlooking and privacy, the siting of the caravan and day room within the plot, together with the separation distances involved, ensures that there would be no direct or unacceptable overlooking of neighbouring properties.
- 7.41 In respect of noise and disturbance, whilst some increase in activity relative to the existing use is likely, particularly outside typical business hours, the scale of the proposal is such that this would not result in levels of noise or disturbance that would be materially harmful or unacceptable when assessed against Policy 2 of the South East Lincolnshire Local Plan. It is also relevant that the site has a lawful commercial use, which could give rise to its own form of activity and disturbance.
- 7.42 Concerns relating to external lighting and associated impacts can be appropriately controlled through the imposition of planning conditions if required.
- 7.43 The proposal would also provide an acceptable standard of amenity for future occupiers of the site, with sufficient space, facilities and separation from neighbouring uses, consistent with the requirements of Policy 3 South East Lincolnshire Local Plan.
- 7.44 Taking all matters into account, the proposal would not result in unacceptable harm to the amenity of neighbouring occupiers and would provide a suitable living environment for future residents. The development is therefore considered to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and the relevant provisions of the National Planning Policy Framework (December 2024).
- 7.45 Highway Safety and Parking
- 7.46 Section 9 of the National Planning Policy Framework (December 2024) seeks to promote sustainable transport and safe access for all users. Paragraph 116 of the National Planning Policy Framework (December 2024) is clear that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.
- 7.47 At the local level, Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) are relevant. Policy 2 requires that development proposals satisfactorily address access and vehicle generation levels, and do not give rise to unacceptable impacts in terms of amenity, disturbance or infrastructure capacity. Policy 3 requires development to be well-designed and appropriately laid out, including in relation to access arrangements. Policy 36 requires development to provide appropriate levels of vehicle parking.
- 7.48 A number of objections have been received raising concerns in respect of highway safety. These include representations from third parties and the local MP, which highlight:
- the nature of the road (B1168), including its straight alignment and 60mph speed limit;
 - the absence of footways and perceived risks to pedestrians;
 - the history of road traffic accidents in the locality;
 - concerns that additional vehicle movements associated with residential use could increase risk, particularly at different times of day; and
 - potential conflict arising from vehicles slowing or turning into the site.
- 7.49 These concerns are noted and carry weight, particularly given the character of the road and the absence of pedestrian infrastructure. It is also acknowledged that the proposal introduces a

residential use, which may give rise to movements at times differing from the previous commercial use of the site.

- 7.50 However, Lincolnshire County Council, as the Local Highway Authority, has assessed the proposal and raises no objection. In doing so, the Highway Authority has had regard to:
- the existing lawful use of the site and associated access arrangements;
 - the nature and extent of the proposed development, which is limited to a single family;
 - the accident record for the surrounding road network; and
 - the overall impact on the operation and safety of the highway.
- 7.51 The Highway Authority advises that:
- the existing access is of suitable construction;
 - the site has previously accommodated commercial uses which could generate vehicular movements in their own right;
 - the proposal would not be expected to result in an intensification of use that would materially affect highway safety;
 - there is no evidence that the location constitutes a problem area in highway safety terms; and
 - the development would not result in a severe residual cumulative impact on the local highway network.
- 7.52 The proposal also provides sufficient on-site space for parking and manoeuvring of vehicles, in accordance with the requirements of Policy 36.
- 7.53 In assessing the proposal, it is important to apply the test set out in paragraph 116 of the National Planning Policy Framework (December 2024). Whilst the concerns raised by local residents and the MP are acknowledged, the evidence before the Council, including the professional advice of the Local Highway Authority, does not demonstrate that the proposal would give rise to an unacceptable impact on highway safety, nor that the residual cumulative impacts would be severe.
- 7.54 It is further recognised that the absence of footways and reliance on private vehicles is a characteristic shared by many rural locations within the District and is not, in itself, a reason to withhold planning permission.
- 7.55 Taking all matters into account, including the scale of the proposal, the fallback position of the site, and the absence of objection from the Local Highway Authority, the proposal is considered acceptable in highway safety and parking terms and is therefore in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 9 of the National Planning Policy Framework (December 2024).
- 7.56 Flood Risk and Drainage
- 7.57 Section 14 of the National Planning Policy Framework (December 2024) seeks to ensure that inappropriate development is avoided in areas at highest risk of flooding and that development, where necessary in such areas, is made safe for its lifetime without increasing flood risk elsewhere.
- 7.58 Policy 4 of the South East Lincolnshire Local Plan (2019) provides the local framework for managing flood risk. It states that caravans intended for permanent residential use will not be permitted in areas at risk of flooding, and requires that the Sequential Test is passed, demonstrating that there are no reasonably available sites at a lower risk of flooding. The policy confirms that the Sequential Test should be undertaken on a district-wide basis unless local circumstances justify otherwise.
- 7.59 The application site lies within Flood Zone 2. However, the South East Lincolnshire Strategic Flood Risk Assessment (SFRA), which forms part of the evidence base underpinning Policy 4, identifies the site as being within an area of low flood hazard, outside the 'danger for most' and 'danger for all' classifications.
- 7.60 In applying the Sequential Test, the applicant has set out that a significant proportion of the

District lies within Flood Zones 2 and 3. In this context, reliance has been placed on the SFRA to identify areas of lowest actual flood risk within the District. Given that the application site falls within a low hazard area as defined by the SFRA, it represents one of the lowest risk locations available within the District for this type of development.

- 7.61 Furthermore, the proposal relates to a Gypsy and Traveller pitch, and there remains a recognised shortfall in provision across the District, including 'unknown need' identified within the Gypsy and Traveller Accommodation Assessment. This establishes a clear need for additional sites, which is a relevant consideration in applying the Sequential Test and supports a flexible, realistic approach to site selection.
- 7.62 A site-specific Flood Risk Assessment has been submitted which demonstrates that:
- the site benefits from flood defences associated with the River Nene;
 - the site is not within the flood hazard extents for the future climate change scenario; and
 - mitigation measures including finished floor levels set a minimum of 600mm above ground level and anchoring of the caravan are proposed.
- 7.63 The Environment Agency has been consulted and raises no objection, subject to these mitigation measures being secured by condition. Taking all of the above into account:
- the site is located within a low flood hazard area as defined by the SFRA;
 - the applicant has demonstrated a robust and proportionate approach to the Sequential Test, reflecting the flood risk context of the District; and
 - there is a clear identified need for additional Gypsy and Traveller accommodation,
- 7.64 It is considered that the Sequential Test is passed in this instance.
- 7.65 Accordingly, the proposal is considered to comply with Policy 4 of the South East Lincolnshire Local Plan (2019) and the aims of Section 14 of the National Planning Policy Framework (December 2024).
- 7.66 Biodiversity Net Gain
- 7.67 Policy 28 of the South East Lincolnshire Local Plan as well as The Environment Act 2021 seek to achieve a net gain for bio-diversity. The statutory biodiversity net gain regime applies to this application. Development must therefore achieve at least a 10% biodiversity net gain unless specifically exempt.
- 7.68 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.
- 7.69 "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".
- 7.70 The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.
- 7.71 The effect of Paragraph 13 of Schedule 7A to 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.

- 7.72 The Council's Ecologist has confirmed that the submitted biodiversity information is sufficient for determination and that mandatory net gain can be achieved through the purchase and securing of off-site biodiversity units. The ecologist confirms that 0.334 area habitat units will be required off-site and that these can be secured through either a legal agreement/conservation covenant or purchase from a registered habitat bank, with the usual biodiversity gain plan submitted pre-commencement.
- 7.73 The applicant has indicated willingness to secure the required off-site units. In any event, the statutory biodiversity gain condition would apply and must be discharged before development commences.
- 7.74 Subject to the statutory condition(s) the proposal is acceptable in this regard and would accord with Policy 28 of the South East Lincolnshire Local Plan.
- 7.75 **Planning Balance**
- 7.76 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.77 In this case, Policies 1 and 20 of the South East Lincolnshire Local Plan (2019) provide a permissive, criteria-based framework for the delivery of Gypsy and Traveller accommodation. The proposal is considered acceptable in principle, and the detailed assessment above demonstrates that it complies with the criteria set out in Policy 20.
- 7.78 The development would deliver a single Gypsy/Traveller pitch and would contribute toward addressing an identified and ongoing shortfall in provision within the District, including "unknown need" identified within the Gypsy and Traveller Accommodation Assessment. This carries significant positive weight, consistent with national policy set out in the Planning Policy for Traveller Sites.
- 7.79 In respect of technical matters:
- The proposal is acceptable in character and visual terms, with the site well contained and assimilated into its surroundings;
 - There would be no unacceptable impact on residential amenity, having regard to separation distances, scale and the nature of the use;
 - The proposal is acceptable in highway safety and parking terms, with no objection raised by the Local Highway Authority and compliance with the requirements of the National Planning Policy Framework (December 2024);
 - In relation to flood risk, the site lies within a low hazard area as defined by the SFRA, the Sequential Test is satisfied, and the Environment Agency raises no objection subject to mitigation;
 - Biodiversity net gain can be secured in accordance with statutory requirements.
- 7.80 It is recognised that the site is located within the open countryside and is not among the most sustainable locations within the District. Opportunities for access to services by walking or cycling are limited, and future occupiers would be likely to rely on private vehicles. However, this must be considered in the context of Gypsy and Traveller provision, where both national policy and the Local Plan recognise that such development may appropriately come forward in rural locations, including the countryside.
- 7.81 Taking all matters into account, the identified limitation in locational sustainability is not considered to outweigh the clear policy support for the proposal, the absence of technical objections, and the benefits arising from meeting an identified accommodation need.
- 7.82 The proposal is therefore considered to accord with the development plan when read as a whole, and there are no material considerations that indicate that planning permission should

be withheld.

7.83

Additional Considerations

7.84

Public Sector Equality Duty

7.85

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.

7.86

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

7.87

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.

7.88

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

7.89

Human Rights

7.90

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).

7.91

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.

7.92

Conclusion

7.93

The proposed development represents an acceptable form of Gypsy and Traveller accommodation, which is supported in principle by Policies 1 and 20 of the South East Lincolnshire Local Plan (2019) and national policy set out in the Planning Policy for Traveller Sites.

7.94

The proposal has been carefully assessed against all relevant material considerations. It has been demonstrated that the development would not result in unacceptable harm in respect of the character and appearance, residential amenity, highway safety, flood risk or biodiversity, subject to appropriate planning conditions.

7.95

Whilst the site is located within the countryside and is not among the most sustainable locations within the District, this must be considered in the context of the recognised need for Gypsy and

Traveller accommodation and the policy framework which supports such development in rural locations where appropriate.

7.96 Overall, the proposal is considered to comply with the development plan when read as a whole and with national policy. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme.

8.0 RECOMMENDATIONS

8.1 It is recommended that the application be approved, subject to the conditions set out below.

9.0 CONDITIONS

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

- Site Location Plan, Existing & Proposed Site Plan, Floor Plans & Elevations Dayroom
- Flood Risk Assessment ECL1643/Alexandra Design
- November 2025 Biodiversity Statement
- July 2025 (v1.0.2) Statutory Biodiversity Metric

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

2. Occupation of the development hereby permitted shall be limited solely to persons who meet the definition of a Gypsy or Traveller, as defined in the Planning Policy for Traveller Sites (December 2024 or any subsequent revision), and their resident dependants.

Reason: The site is located in the countryside where residential development is restricted. Permission has been granted having regard to the identified need for Gypsy and Traveller accommodation.

This condition is imposed in accordance with Policies 1, 2 and 20 of the South East Lincolnshire Local Plan (2019).

3. The site shall be occupied by no more than one Gypsy/Traveller pitch at any one time, comprising no more than one caravan (which may include one static caravan) and one dayroom.

No commercial activities, including the storage, sale or processing of materials, machinery, vehicles or waste, shall take place on the land.

Reason: To ensure that the development remains of an appropriate scale and does not give rise to unacceptable impacts.

This condition is imposed in accordance with Policies 1,2 and 20 of the South East Lincolnshire Local Plan, 2019 which reflects national guidance.

4. The development hereby permitted shall be carried out in accordance with the recommendations set out within the submitted Flood Risk Assessment (Ref: ECL1643, Alexandra Design, December 2025).

In particular:

- Finished floor levels shall be set no lower than 600mm above existing ground level; and
- The caravan shall be secured to the ground by appropriate anchoring.

Reason: To ensure the development is safe from flooding and does not increase flood risk. This condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan (2019).

5. No external lighting shall be installed on the site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have first been submitted to and approved in writing by the Local Planning Authority.

Any lighting installed shall be carried out in accordance with the approved details..

Reason: In the interests of residential amenity, air quality and environmental protection.. This condition is imposed in accordance with Policies 2, 28 and 30 of the South East Lincolnshire Local Plan (2019).

6. No burning of materials shall take place on the site at any time.

Reason: In the interests of residential amenity, air quality and environmental protection. This condition is imposed in accordance with Policies 2, 28 and 30 of the South East Lincolnshire Local Plan (2019).

7. The hedges and trees along the site boundaries shall be retained for the lifetime of the development.

Any hedges or trees that die, are removed or become seriously damaged or diseased in the opinion of the Local Planning Authority, shall be replaced within the next planting season with planting of a similar size and species.

Reason: In the interests of the visual amenity of the locality. This condition is imposed in accordance with Policies 1 and 2 of the South East Lincolnshire Local Plan, March 2019 which reflect national guidance.

8. Within three months from the date of this decision, details of the means of foul 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 and to avoid pollution. This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

9. 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.

10. 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.

11. Within three months of the date of this decision, details of bat boxes, including the specification, quantum and location of the boxes, shall be submitted to and approved in writing by the Local Planning Authority.

The bat boxes so approved shall be installed within 28 days of obtaining approval of such details, and shall be retained thereafter.

Reason: In the interests of biodiversity.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

12. 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 subsequently determining to grant planning permission.

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

13. **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



SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee – 29 April 2026

(Author: Daniel Allen – Principal Planning Officer)

Purpose: To consider Planning Application H02-0759-25

Application Number: H02-0759-25 **Date Received:** 12 August 2025

Application Type: FULL

Description: Development for 80 dwellings with access, landscape, drainage, open space and associated infrastructure

Location: Land East of Normanton Road, Crowland

Applicant: Allison Homes Ltd **Agent:** Allison Homes Ltd

Ward: Crowland and Deeping St Nicholas **Ward Councillors:** Cllr B Alcock

Cllr J R Astill

Cllr A Harrison

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H11-1210-25>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application is to appear before Planning Committee due to the extent of objection and given the considerations that the scheme raises, which require Planning Committee consideration.

2.0 PROPOSAL

2.1 This application seeks full planning permission for residential development on land off Normanton Road, Crowland. The proposal seeks permission for the erection of 80 dwellings, with access, landscaping, drainage, open space and associated infrastructure. It should be noted that this is an amended scheme, further to proactive officer and applicant dialog during the application process.

- 2.2 The development proposes two storey dwellings, located along the main access road and two circular highway routes, with a centralised public open space and wildlife corridors to the southern and western boundaries.
- 2.3 Specifically, the scheme proposes 60 open market dwellings (75%), with 20 affordable dwellings (25%) comprising the following affordable housing mix:
- Four 3-bed shared ownership units
 - Two 2-bed shared ownership units
 - Four 1-bed affordable rent units
 - Four 2-bed affordable rent units
 - Four 3-bed affordable rent units
 - Two 4-bed affordable rent units.
- 2.4 All units meet the required Nationally Described Space Standards.
- 2.5 The application site comprises an area of 3.48ha, with the proposed residential development of 80 dwellings resulting in a gross density of 23 dwellings per hectare (dph).
- 2.6 The proposed scheme provides a single vehicular access point from Normanton Road, to the north-west of the site. This access road, along with the edge lanes throughout the proposal, are to comprise adopted highways, with two private access roads to the south-east and south-west of the site, serving plots 32-35 and plots 49-53.
- 2.7 The proposed layout comprises a centralised area of open space, landscaped by tree planting, and accessed through a pedestrian access route. The centralised open space includes a dedicated Local Equipped Area of Play to the east. The proposed scheme includes pedestrian access from Normanton Road, with a continued footpath along the main highway road terminating at the edge lanes. An attenuation basin is located to the north-east of the site.
- 2.8 Landscaping proposed includes the retention of existing planting, alongside the introduction of new hedging and trees to site boundaries, producing wildlife corridors to both the southern and western boundaries. New tree planting is also proposed throughout the site.

3.0 SITE DESCRIPTION

- 3.1 The application site lies off Normanton Road, in the settlement of Crowland, within its defined settlement boundary. The site comprises an allocated site, as a Housing Allocation (Cro050 - Land to the east of Normanton Road), as detailed within Policy 11 of the South East Lincolnshire Local Plan 2019.

- 3.2 The allocated site comprises an area of 3.48 hectares and has a notional site capacity of 70 dwellings; when considered with at 20 dph. This site comprises one of six allocated sites within Crowland.
- 3.3 The application site is located within Flood Zone 3 of the Environment Agency's Flood Maps and is within the "danger for most/danger for all" classification within the Strategic Flood Risk Assessment, with flood depths expected to reach between 0.5m to 2m.
- 3.4 The site is neighboured by existing residential development to the south and west. To the south lies single storey dwellings (south-west) and two storey dwellings, fronting onto The Gardens and Girdlestone Walk respectively.
- 3.5 Likewise, fairly modern residential plots also lie to the west, comprising two storey dwellings residing along Normanton Road, and predominately two storey dwellings along Jubilee Way; albeit, the south-easternmost plots of Jubilee Way are dormer bungalows. Agricultural land lies to the north of the application site.
- 3.6 To the east and south-east of the site, an ongoing application is under consideration by the Local Planning Authority, for the development of nine dwellings. This site currently comprises vacant, undeveloped land, located outside of the defined settlement boundary of Crowland. Further east lies the garden centre. This comprises a wider site of approximately 3 hectares of land, located on the north-eastern edge of Crowland. The site has previously been used as a garden centre; however, the site has been vacant in recent years, and has been subject to the grant of alternative uses in recent years.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

- 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, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

4.3 South East Lincolnshire Local Plan, March 2019

4.4 Policy 1 - Spatial Strategy

Policy 2 - Development Management

Policy 3 - Design of New Development

Policy 4 - Approach to Flood Risk

Policy 6 - Developer Contributions

Policy 10 - Meeting Assessed Housing Requirements

Policy 11 - Distribution of New Housing

Policy 17 - Providing a Mix of Housing

Policy 18 - Affordable Housing

Policy 28 - The Natural Environment

Policy 29 - The Historic Environment

Policy 30 - Pollution

Policy 31 - Climate Change and Renewable and Low Carbon Energy

Policy 32 - Community, Health and Well-being

Policy 36 - Vehicle and Cycle Parking

APPENDIX 6 - Parking Standards

APPENDIX 8 - Developer Contributions for Education Facilities

APPENDIX 9 - Developer Contributions for Health Care Facilities

4.5 **National Planning Policy Framework (NPPF) (December 2024)**

4.6 Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed and beautiful 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

4.7 **Planning Practice Guidance (PPG)**

5.0 RELEVANT PLANNING HISTORY

5.1 The application site has not been subject to any direct planning history.

5.2 Adjacent Sites

- 5.3 Notwithstanding the above, the land to the east of the application site, comprising the wider garden centre land and the currently vacant, undeveloped land, has been subject to the following relevant site history.
- 5.4 H02-1274-80: (Reserved Matters) Camping, caravan, outdoor leisure and horticultural sales centre with alteration to existing access at Postland Road, Crowland - approved 23 December 1980
- 5.5 H02-0552-87: (Outline Application) Workshop and caravan storage compound and use of existing building for repair and spray shop' - no decision issued
- 5.6 H02-1174-88: (Full Application) Steel portal framed workshop with lean-to' - approved 05 October 1988
- 5.7 H02-0612-91: (Full Application) Change of use of field to golf driving range - approved 15 August 1991
- 5.8 H02-0154-98: (Full Application) Erect new workshop building and external surfacing - approved 21 April 1998
- 5.9 H02-0218-01: (Full Application) Change of use to Garden Centre & use of 2 buildings for B1 (Business) - approved 10 July 2001
- 5.10 H02-0605-01: (Permission Renewal) Wksp & display bldg to replace open air display of camping, caravan, leisure/hort products (Renewal of H02/0263/96) - approved 24 January 2002
- 5.11 H02-0715-01: (Full Application) Proposed refurbishment, storage, display & sale of furniture & equip.for hotel, rest.& catering businesses - approved 08 October 2001
- 5.12 H02-0057-02: (Full Application) Change of use for the display and sale of caravan, camping and leisure products - approved 19 March 2002
- 5.13 H02-0413-02: (Section 73) Modification of condition 2 of H02/0218/01 to allow for the sale of pets, pet products and pet foods - approved 30 July 2002
- 5.14 H02-0154-02: (Full Application) Change of use for display and sale of camping, caravan and leisure products - withdrawn 02 May 2002
- 5.15 H02-0564-03: (Full Application) Plant shade within plant sales area - retrospective - approved 01 July 2003
- 5.16 H02-0599-03: (Full Application) Plant shade to protect small and vulnerable plants - retrospective - approved 01 July 2003
- 5.17 H02-0133-05: (Full Application) Erection of a conservatory display area - approved 15 April 2005
- 5.18 H02-1020-06: (Full Application) Miniature Railway - approved 26 September 2006

- 5.19 H02-0367-08: (Full -Application) Proposed offices, workshop and display area - approved 05 August 2008
- 5.20 H02-0708-19: (Full Application) Change of use from garden centre (A1) to mixed (B1 & B8 uses) and associated building operations, car parking and infrastructure - approved 12 September 2019
- 5.21 H02-0143-20: (Full Application) Alterations and extensions to building following approval of change of use from garden centre (Use Class A1) to mixed B1 and B8 uses and associated building operations, approved under application reference H02-0708-19 - approved 26 March 2020
- 5.22 H02-0238-21: (Full Application) Extensions to roof of building, small extension between proposed units and minor alterations following planning approvals H02-0708-19 and H02-0143-20 - approved 13 May 2021
- 5.23 H02-0741-22: (Full Application) Change of use from garden centre (use class E) and the sale of caravans and related paraphernalia (use class sui generis) to a mixed use car sales (use class sui generis) and vehicle repairs and MOT service (use class B2) - approved 05 October 2022
- 5.24 H02-0906-22: (Full Application) Installation of ducting and extracts to serve vehicle spray painting booths - approved 11 November 2022

6.0 REPRESENTATIONS

6.1 This application has been advertised in the local press and site notices were displayed in locations surrounding the site. In addition, internal and external consultees have been consulted by individual letter or email. Amendments have been received during the application process and further re-consultation has also taken place.

6.2 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:

6.3 Initial Responses Received (Consultation period between 14th August 2025 - 05th September 2025)

6.4 Lincolnshire Police

6.5 Lincolnshire Police do not have any objections to this application.

6.6 NHS Lincolnshire

6.7 This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands. NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of 80 dwellings on Land East of Normanton Road, Crowland to contribute to the expansion in capacity

through remodelling/changes to layout or extension to existing facilities within the South Lincs Rural and Spalding Primary Care Networks (PCNs) at Abbeyview Surgery and/or Beechfield Medical Centre. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

- 6.8 Requests a financial contribution of £73,180.80 (£914.76 x 80 dwellings).
- 6.9 After reviewing the practice response regarding their capacity to accommodate the increase in patient numbers arising from this development, it's requested that the trigger point for the release of funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure. To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.
- 6.10 Ward Member Cllr A Harrison received on 01.09.2025 and 09.09.2025
- 6.11 I have been contacted by a number of residents who have concerns with this development. Crowland has already surpassed its required number of new homes as set out in the Local Plan to 2036 which has put pressure on the local infrastructure.
- 6.12 The Primary school requires an additional Reception class to accommodate the children starting school this September, and this will impact the year groups moving through the school from next year onwards. The school has no room to expand, other than using some of their playing field to site mobile classrooms.
- 6.13 There is no secondary school provision in Crowland, with all children required to be bussed to either Market Deeping or Spalding secondary schools. These schools are also full, with little or no space for expansion.
- 6.14 Getting an appointment at the Drs surgery is problematic, with fewer doctors and an ever increasing population, and parking in this small market town is also becoming an issue. Concerns have also been raised regarding the run-off of surface water to existing properties, which, if the Council were inclined to grant permission, will need to be addressed.
- 6.15 Housing Strategy
- 6.16 Thank you for consulting the Local housing Authority on this full planning application. Please see the comments below in relation to the affordable housing provision.

- 6.17 This application proposes that 20 of the units on this site will be delivered as affordable housing, of which 14 are to be rented and 6 shared ownership, which would meet the current planning policy requirement. In the application these units are identified as 2x 1bed, 4x 2bed, 7x 3bed and 1x 4bed for rent, and 2x 2bed, 3x 3bed and 1x 4bed for shared ownership.
- 6.18 To help meet the identified need in Crowland a suggested mix for affordable rented units would be 4x 1bed/2person, 4x 2bed/4person, 4x 3bed/5person and 2x 4bed/6 person homes for rent; the suggested mix of shared ownership - 2x 2bed/4 person, 4x 3bed/5person.
- 6.19 From the individual plans, the properties appear to meet the minimum bedroom size requirements. For information, Registered Providers require the properties to meet a minimum of 85% of National Design Space Standards. Single bedrooms should also be suitable for an adult to occupy and should therefore have a floor area of at least 6.51m² and double bedrooms should be a minimum of 10.22m².
- 6.20 In addition, it is preferable that the affordable units should be accessible from adopted roads rather than unadopted private drives / shared surfaces.
- 6.21 If planning permission is granted the applicant should also seek to secure a Registered Provider for the affordable dwellings at the earliest opportunity if this is not already in progress. The Local Housing Authority provide a list of RPs with stock in the local area should the applicant require this.
- 6.22 To summarise, the Local Housing Authority would like to see the comments above addressed before it is able to support the application.
- 6.23 We are always happy to discuss the requirements for affordable homes to assist developers and their agents with their applications.

6.24 Environment Agency

6.25 Environment Agency position

In accordance with Policy 4 of the South East Lincolnshire Local Plan 2011-2036, we object to this application, due to the absence of an adequate flood risk assessment (FRA).

6.26 Reasons

The submitted FRA dated 23 July 2025, ref: 'AMA980 Rev 0', prepared by Amazi Consulting Ltd, does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance. In particular, the FRA fails to propose mitigation measures to ensure that people will remain safe from the identified flood hazards taking the impacts of climate change into account.

- 6.27 As stated in the submitted FRA, the South East Lincolnshire Strategic Flood Risk Assessment (SFRA) shows that the site could experience flood depths of up to 2.0 metres arising from a breach in the defences during a flood that has a 1% fluvial/0.5% tidal chance of occurring in any one year up to 2115.
- 6.28 The finished floor levels are proposed to be set 0.3m above the existing ground level and therefore do not adequately mitigate the potential flood depths at this site. The flood risk mitigation should be proposed in line with the South East Lincolnshire flood risk advice matrix contained within Appendix C of the SFRA.
- 6.29 North Level District Internal Drainage Board
- 6.30 A Board-maintained watercourse known as Brickfield Drain lies to the north of the applicant's land edged blue on the location plan and is the watercourse into which the applicant is proposing to discharge surface water run-off from the development.
- 6.31 If surface water run-off is to be discharged to a watercourse, an application seeking consent from the Board will be required. If such an application is consented by the Board (approval is not guaranteed), this may be subject to conditions, including the payment of development levy.
- 6.32 LCC Historic Environment Officer
- 6.33 The proposed site lies near the Crowland Peninsula within an area of prehistoric, Roman and medieval archaeological potential, which could be of local significance to contribute to the East of England Regional Research Agenda. This is acknowledged and confirmed by the submitted Desk-Based Assessment. The submitted geophysical survey, confirms the presence of archaeological remains, while also acknowledging the limits of this type of survey.
- 6.34 The proposed development comprises 'Development for 80 dwellings with access, landscape, drainage, open space and associated infrastructure'. Its groundworks and any temporary works associated with the development (including piling, landscaping, drainage connections and BNG planting) will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present.
- 6.35 Recommendation: Currently there is insufficient specific information on the archaeological potential for the site and the extent of impact to buried archaeological remains from the proposed development. Therefore, I recommend the applicant to provide the results of a full standard archaeological evaluation of the site. This is in line with the guidance set out in the NPPF 2024 (paragraphs 207 & 218).

- 6.36 The applicant has not adequately described the significance of any below-ground heritage assets that may be affected by the proposed development, and it is not "sufficient to understand the potential impact of the proposal on their significance (the heritage assets)" (Paragraph 207 of the National Planning Policy Framework (NPPF)). This in turn does not allow the Local planning authority to "identify and assess the particular significance of any heritage asset that may be affected by a proposal." (Paragraph 208 NPPF).
- 6.37 Given the very high archaeological potential, but as yet unknown character and extent, I recommend this application to be accompanied by the results of a geoarchaeology assessment and full standard archaeological trial trench evaluation in order to properly assess the site potential, inform the appropriate planning advice and design an appropriate mitigation strategy should consent be subsequently granted. The evaluation will aim to determine the presence, absence, significance, extent depth and character of any archaeological remains which will be impacted by the proposed development as noted above. It should also be noted that preferred mitigation strategies will include preservation in situ (avoidance of sensitive areas) where possible and open area excavation where not.
- 6.38 It is important that this application to fully considered the implications of this in its project feasibility assessment and that the results have been considered in designing the layout. The ability and flexibility for this is only as good as the knowledge of extent, character and significance of the archaeological resource on the site. We cannot plan mitigation appropriately against unevidenced conclusions. It is also important to avoid any unnecessary planning conditions that would place an unreasonable planning burden on the scheme if significant archaeology were discovered during post-consent evaluation work. Paragraph 57 of the NPPF applies in this case. This information should be provided with the application so that an informed planning recommendation can be made and to meet the requirements of the National Planning Policy Framework (NPPF) paragraphs 207 and 218. With respect to the archaeological evaluation, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1YL, 07386 656079, email ruben.lopez@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works.
- 6.39 SHDC Environmental Protection
- 6.40 Provide a construction management plan detailing working hours, dust noise and vibration control measures prior to commencement.
- 6.41 LCC Education
- 6.42 LCC Education have requested a financial contribution to the sum of £611,780.70; formed by the following:

- 6.43 - £475,524 - Primary
- £136, 256.70 - Sixth-form
- 6.44 This has been requested "as the development would result in a direct impact on local schools", with the contribution being "requested to mitigate the impact of the development at local level. The request comprises a suggestion that " the s.106 monies are paid at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability."
- 6.45 Lincolnshire Fire & Rescue
- 6.46 We would ask that fire hydrants are installed in number and location at the developer's cost.
- 6.47 Anglian Water
- 6.48 Section 1 - Assets Affected
- Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers' cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- 6.49 Section 2 - Wastewater Treatment
- Anglian Water OBJECTS to the proposed development under Planning Application H02-0759-25 due to the intended connection to the public foul drainage network. This site is located within the catchment of the Crowland Water Recycling Centre (WRC), which currently lacks the capacity to accommodate the additional flows that would be generated by the proposed development. Anglian Water has determined that the site is unsustainable due to the associated environmental risk and the increased discharge rates, which could lead to a deterioration in water quality and an unacceptable risk of breaching environmental legislation at Crowland WRC.
- 6.50 Considering these concerns, we recommend that planning permission be refused on the grounds of insufficient infrastructure capacity and to prevent environmental harm. Anglian Water collaborates with local planning authorities across the region to identify sustainable locations for future development, taking into account infrastructure capacity as part of the development plan processes. We also work closely with our regulators to identify opportunities

for future growth investment. At present, no funding has been allocated at this Water Recycling Centre (WRC) for AMP 8 (2025- 2030). However, we may seek to promote investment through our future business plans.

6.51 Section 3 - Used Water Network

This response has been based on the following submitted documents:
Drainage Strategy Layout drawing no. 1279- 00-03 REV B July 2025

The sewerage network at present has available capacity for the anticipated foul flows. However as advised above, any connection into our foul network from the proposed development will contribute to pollution and deterioration of the watercourse via the WRC as it cannot accommodate additional flows. If the LPA is minded to grant approval despite our WRC objection, the developer will need to serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1.

INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2. 2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. INFORMATIVE - Building near to a public sewer- No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

6.52 Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the

preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

6.53 From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. The Drainage Strategy Layout drawing no. 1279-00-03 REV B July 2025 proposes to discharge surface water to swales and an attenuation basin which then outfalls to a ditch. As such, we are unable to provide comments on the suitability of surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. If planning permission is granted, the strategy should be listed within the decision notice with any approved plans. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

6.54 LCC Highways

Please note that this interim response does not confirm Lincolnshire County Council's final position regarding the development proposals, as further information, as requested below, is required to enable a full assessment of the proposals. Lincolnshire County Council's final position on any development will only be established following formal consultation (via the local planning authority) of the planning application once this information has been received. This includes any off-site mitigation which may be required as a result of development, be that secured via Grampian condition or S106 contribution.

6.55 Crowland Parish Council

6.56 Objections

It was noted that the development is within the local plan. The number of houses in the local plan has now been far exceeded, and Crowland Parish Council (CPC) has expressed concern. Two members of the public expressed their concern over a number of issues and CPC advised them to raise their material objections directly with the planning department, by the closing date of 19 September 2025.

6.57 Crowland Parish Council have concerns over the density of the properties, access for refuse collection and access to the site during development and then once developed, as the site is accessed from a busy road on which the local primary school and a nursery are located. With regard to the access, CPC would like an alternative access road to be investigated. CPC also have concerns on building within the flood plain and note the comments from

Anglian Water and the Internal Drainage Board. Whilst the development is within the current approved local plan, due to our considerations above, Crowland Parish Council therefore object to this application.

6.58 Ecology Comments

6.59 H02-0759-25 - Land East of Normanton Road Crowland Development for 80 dwellings with access, landscape, drainage, open space and associated infrastructure

6.60 Documents reviewed:

- BNG Statutory Metric
- Preliminary Ecological Appraisal
- BNG statement and habitat plan
- Detailed soft landscaping plans for plots and POS
- Guide to management of landscaping and ecological areas

6.61 Comments:

Ecological Considerations:

6.62 - The applicant has provided thorough ecological documentation therefore in our judgement providing sufficient ecological data to determine this application.

- We support all mitigation and enhancement recommendations provided in the PEA and Interim ecology report and request that they be set as a condition at discharge.

- We will require a pre-commencement badger presence survey

- We request that universal nest boxes (either integral to the buildings or external) should be provided at an equivalent ratio of 1:1, e.g., 3 on every third house, etc., see: <https://cieem.net/swift-bricks-the-universal-nest-brick-by-dick-newell/>. These should be located throughout the site as appropriate following best practices and an ecologist's advice. These boxes are low-cost, are incorporated seamlessly into the buildings construction, and provide suitable habitat for multiple bird species that occur in urban areas.

- Similarly, provision of integral bat boxes on dwellings and installed in trees should be greatly increased in compensation for the loss of foraging habitat. We suggest that a minimum of 24 integral bat boxes / roost units should be installed on dwellings or in trees throughout the development in appropriate areas following best practices and an ecologist's advice.

- In both cases, the authority requires the applicant to submit sufficiently detailed maps that indicate the proposed location of bird/bat boxes on-site.

6.63 BNG Comments:

- We are confident that this site can achieve 10% net gain on site and we would like to commend the applicants on their very detailed BNG documentation provided. We do have a change that will need to be addressed pre-commencement.

- While we commend the applicants aim to create a "good" target condition Other Neutral Grassland, we believe that the urban environment and high level of human activity in the area its justified to assume that this target condition will not be achieved for this site. However, we feel that "moderate" target habitat condition for Other Neutral Grassland could be achieve on this site given the high level of management documentation provided. This alteration would mean the site would still achieve mandatory 10% gain (24.51% gain - increase of 2.19 units).

- We will require a full BNG plan and HMMP to be provided pre-commencement.

- To be in line with national guidance, the authority should secure the HMMP and corresponding biodiversity creation/enhancement with a S106 agreement. This is because of the relatively large amounts of significant on-site habitat creation/enhancement proposed

6.64 Conclusion: There has been sufficient evidence provided to determine this application, and we are confident that this application can achieve 10% net gain on site. A BNG plan, HMMP and a S106 will need to be secured pre-commencement.

6.65 LCC Education - Additional comments received 30.10.2025

6.66 LCC Education have requested a financial contribution to the sum of £475,524; formed by the following:

- £475,524 – Primary

6.67 This has been requested "as the development would result in a direct impact on local schools", with the contribution being "requested to mitigate the impact of the development at local level. The request comprises a suggestion that " the s.106 monies are paid at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability."

6.68 **Responses Received within Re-consultation (Consultation period between 20th November 2025 - 04th December 2025)**

6.69 Lincolnshire County Councillor Raymond Condell

6.70 I have also received concerns from residents regarding this development. Crowland has already exceeded the housing targets set out in the Local Plan to 2036, placing significant strain on local infrastructure. The primary school requires an additional Reception class this September, with no capacity for permanent expansion other than temporary mobile classrooms on the playing field. There is no secondary school provision in Crowland; pupils must travel to Market Deeping or Spalding, where schools are already at capacity. Access to GP appointments is increasingly difficult due to limited staffing and population growth, and parking in the town is becoming problematic. Residents have also raised concerns about surface water run-off to existing properties, which would need to be addressed if permission is granted. Furthermore, the proposed exit road to Cloot Drove would join Postland Road adjacent to the primary school, adding traffic to an already congested area.

6.71 LCC Education

6.72 LCC Education has no comments on this consultation in relation to education as any impacts have been mitigated at the outline stage and the amendments to the dwelling mix do not create any additional children to be considered.

6.73 Lincolnshire Police

6.74 Lincolnshire Police do not have any objections to this Amendment – development

6.75 Ecology Comments

6.76 Summary: We are confident that this application can achieve 10% net gain on site. A BNG plan, HMMP and a S106 will need to be secured pre-commencement.

6.77 *Comments - Ecological Considerations:*

- The applicant has provided thorough ecological documentation therefore in our judgement providing sufficient ecological data to determine this application.
- We support all mitigation and enhancement recommendations provided in the PEA and request that they be set as a condition at discharge.
- We will require a pre-commencement badger presence survey pre-commencement.
- We are happy with the enhancement provision (bird and bat boxes) proposed for this site as set out in the Ecological Enhancement Plans.

6.78 *BNG Comments*

- 6.79 - We are confident that this site can achieve 10% net gain on site and we would like to commend the applicants on their very detailed BNG documentation provided. There is a predicted overall gain of 21.97% in Habitat units (increase of 1.94 units), 60.85% in Hedgerow units (increase of 1.31 units) and 152.85% increase of watercourse units (increase of 0.08 units).
- We will require a full BNG plan and HMMP to be provided pre-commencement.
 - To be in line with national guidance, the authority should secure the HMMP and corresponding biodiversity creation/enhancement with a S106 agreement. This is because of the relatively large amounts of significant on-site habitat creation/enhancement proposed.
- 6.80 *Conclusion:* There has been sufficient evidence provided for us to support the determination for this application, and we are confident that this application can achieve 10% net gain on site. A BNG plan, HMMP and a S106 will need to be secured pre-commencement.
- 6.81 Crowland Parish Council
- 6.82 Following our telephone conversation last week I have detailed below Crowland Parish Councils request to apply for S106 monies to be allocated in respect of the above planning application which has since been supported by an amended application.
- 6.83 Amount £1,500 per house £120,000
- 6.84 Contribution to either new community building and sports pavilion.
- 6.85 Required - as the town continues to expand the pressure on services increases, 80 houses will attract a minimum of 160 -200 new residents into the town, we urgently need significant refurbishment or replacement of the existing sports pavilion which is used by numerous junior and the senior football teams as well as other organisations. We also need a modern community building to satisfy the increasing needs of the present population which has increased dramatically as a result of rapid residential development. Crowland has no dedicated suitable community building to cater for the needs of the population.
- 6.86 Lincolnshire Wildlife Trust
- 6.87 Lincolnshire Wildlife Trust is a conservation charity in the county with a strategic remit to support conservation of the natural world, lead on the recovery of key habitats and species, and empower local communities to take action for nature. The Trust is supported by over 27,000 members across Lincolnshire.

- 6.88 Thank you for inviting comment from Lincolnshire Wildlife Trust on this application. Our conservation officers have reviewed the referenced development against a series of strategic conservation and ecological criteria. In review of the variation documents presented, The Trust has no substantive comments or recommendations on the proposal.
- 6.89 North Level District Internal Drainage Board
- 6.90 Having reviewed the documents available on your website, the Board can confirm that its previous comments still stand.
- 6.91 The Board is pleased to note the applicant's agreement in principle to a condition securing the submission of full details of surface water drainage system.
- 6.92 Housing Strategy
- 6.93 The applicant has reached an agreement with the Local Housing Authority on the delivery of affordable housing. In accordance with current planning policy, 20 units will be provided as affordable homes. The proposed affordable housing mix comprises 4 x 3-bed and 2 x 2-bed shared ownership units, along with 4 x 1- bed, 4 x 2-bed, 4 x 3-bed and 2 x 4-bed affordable rent units. All units meet the required NDS standards, providing 2-bed 4-person, 3-bed 5-person and 4-bed 6-person properties.
- 6.94 Discussions are also ongoing to secure a Registered Provider for the scheme.
- 6.95 To summarise the LHA is now supportive of the application provided that the affordable housing provision is secured by a Sec 106 agreement.
- 6.96 LCC Historic Environment Officer
- 6.97 Thanks for consulting us on this, We reiterate our previous comments dated 05-09-25. Also, No objection to amendment 1.
- 6.98 Environment Agency
- 6.99 Thank you for re-consulting us on the above application, on 20 November 2025.
- 6.100 Environment Agency position
- 6.101 We have reviewed the submitted flood risk assessment dated 18 November 2025, ref: 'AMA980 Revision A', prepared by Amazi Consulting Ltd and consider that it satisfactorily addresses our earlier concerns.
- 6.102 Subject to the condition below, we therefore withdraw our previous objection, dated 03 September 2025.
- 6.103 Condition

The development shall be carried out in accordance with the submitted flood risk assessment dated 18 November 2025, ref: 'AMA980 Revision A', prepared by Amazi Consulting Ltd and the following mitigation measures it details:

- The dwelling shall have a minimum of two storeys
- Finished floor levels shall be set no lower than 2.6 metres above Ordnance Datum
- Flood resilience construction shall be to a minimum of 2.9 metres above Ordnance Datum

6.104 These mitigation measures shall be fully implemented prior to occupation and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

6.105 Crowland Parish Council

6.106 Objection to the application as previously stated. Issues with site access for refuse collection, construction traffic, and long-term use, especially given proximity to a busy road serving the local primary school and nursery. Development already exceeds housing allocation for 2036. Support for exploring an alternative access road.

6.107 LCC Highways

6.108 Recommendation: Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

6.109 No objection subject to:

- (a) Planning Conditions and Informatives
- (b) S106 requests and highway improvements

6.110 SHDC Environmental Protection Officer

6.111 I have reviewed BRD Environmental Ltd Phase 1 Geo-Environmental Desk Study for Clout Drove, Crowland, Ref: BRD4519-OR1-A, Dated: December 2024. this report concluded that due to past use of the area and location of a sub-station and car/ garage workshop nearby a phase 2 survey was required for further investigation. I am in agreement with these findings.

- 6.112 I have subsequently reviewed BRD Environmental Ltd Phase 2 Ground investigation report for Clout Drove, Crowland, Ref: BRD 4519-OR2-A, Dated December 2024. This report concludes that following exploratory testing for contamination soil on site pose no risk to human health or to the future end user. It was also concluded that ground gas posed no risk to the development or to future users. I am in general agreement with these findings in this report and request that the land contamination condition is discharged.
- 6.113 However, 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.
- 6.114 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.
- 6.115 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.
- 6.116 This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.
- 6.117 Anglian Water
- 6.118 Section 1 - Assets Affected
- Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.
- 6.119 Section 2 - Wastewater Treatment
- Anglian Water OBJECTS to the proposed development under Planning Application H02-0759-25 due to the intended connection to the public foul drainage network.
- 6.120 This site is located within the catchment of the Crowland Water Recycling Centre (WRC), which currently lacks the capacity to accommodate the additional flows that would be generated by the proposed development.

Anglian Water has determined that the site is unsustainable due to the associated environmental risk and the increased discharge rates, which could lead to a deterioration in water quality and an unacceptable risk of breaching environmental legislation at Crowland WRC.

6.121 Considering these concerns, we recommend that planning permission be refused on the grounds of insufficient infrastructure capacity and to prevent environmental harm. Anglian Water collaborates with local planning authorities across the region to identify sustainable locations for future development, taking into account infrastructure capacity as part of the development plan processes. We also work closely with our regulators to identify opportunities for future growth investment.

6.122 At present, no funding has been allocated at this Water Recycling Centre (WRC) for AMP 8 (2025- 2030). However, we may seek to promote investment through our future business plans.

6.123 Section 3 - Used Water Network

This response has been based on the following submitted documents:

6.124 The sewerage network at present has available capacity for the anticipated foul flows. However as advised above, any connection into our foul network from the proposed development will contribute to pollution and deterioration of the watercourse via the WRC as it cannot accommodate additional flows. If the LPA is minded to grant approval despite our WRC objection, the developer will need to serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

6.125 1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2.

2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.

4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the

developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

6.126 Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

6.127 From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. 1279-00-03 REV C DRAINAGE STRATEGY LAYOUT proposes to discharge surface water to swales and an attenuation basin which then outfalls to a ditch. As such, we are unable to provide comments on the suitability of the surface water management.

6.128 The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. If planning permission is granted, the strategy should be listed within the decision notice with any approved plans. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

6.129 **Responses Received within Re-consultation (Consultation period between 18th December 2025 - 04th January 2026)**

6.130 LCC Highways

6.131 The Travel Plan contribution is the administrative fee levied by Lincolnshire County Council (LCC) to monitor the outcomes of the travel plan over 5 years. LCC must monitor the outcomes on site against the objectives set out in the travel plan and can offer guidance/support to the developer if the targets are not met. This work cannot be done by the developer, the £5k is payable and will need to be secured in a S106 agreement.

- 6.132 With regards to the Bus pass contributions, I'd agree that passes are better delivered by the developer and it absolves LCC of unnecessary admin. This will be a reduction of £22,000.00. Would this be best as a condition instead?
- 6.133 In relation to the amount for the bus service, the current provision is supported by LCC through BSIP funding at £100k per annum- at the time of the request future funding from this grant was unknown so we had to make an estimation on what it would likely cost to maintain in the future, factoring in LCC using its own budget to maintain. The contribution requested was based on £750 per dwelling to support the service over a 3-year period, this is commensurate with our standard request for bus service support for new developments.
- 6.134 **Responses Received following further Discussion (Dated 01st April 2026)**
- 6.135 Anglian Water
- 6.136 We can confirm that our objection with regard to wastewater treatment can be withdrawn.
- 6.137 *Section 1 - Assets Affected*
- 6.138 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.
- 6.139 *Section 2 - Wastewater Treatment*
- 6.140 When assessing Dry Weather Flow (DWF) headroom at the receiving Water Recycling Centre (WRC), we apply a three year Q90 DWF average (2023-2025), together with the flows associated with sites that already benefit from planning consent.
- 6.141 Our DWF dataset is reviewed and updated annually in consultation with the Environment Agency. This ensures that our planning assessments reflect the most updated date information regarding the WRC's compliance with its environmental permit and its ability to accommodate additional flows from new development without creating an unacceptable risk of breaching environmental legislation. This approach also ensures that there is no pollution or deterioration of the receiving watercourse.
- 6.142 Based on the above assessment, Crowland WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.
- 6.143 *Section 3 - Used Water Network*

This response has been based on the following submitted documents:

- 1279-00-03 REV C DRAINAGE STRATEGY LAYOUT

The sewerage network at present has available capacity for the anticipated foul flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

- 6.144 1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2.
- 6.145 2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
- 6.146 3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.
- 6.147 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
- 6.148 *Section 4 - Surface Water Disposal*
- 6.149 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.
- 6.150 From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. 1279-00-03 REV C DRAINAGE STRATEGY LAYOUT proposes to discharge surface water to swales and an attenuation basin which then outfalls to a ditch. As such, we are unable to provide comments on the suitability of the surface water management.

6.151 The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. If planning permission is granted, the strategy should be listed within the decision notice with any approved plans. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

6.152 **Public Representation**

6.153 This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, 124 letters of objection have been received in total, with this figure including residents who have commented multiple times.

6.154 Comments received during initial consultation period - 14 August 2025

6.155 During the initial consultation (from 14 August 2025), a total of 111 letters of representation were received.

6.156 These can be summarised as:

- Lack of infrastructure to accommodate more housing, with particular reference paid to school places and health care facilities
- Increase in traffic, including construction traffic, and the potential safety impacts of this
- Noise impact
- Lack of need for housing
- Ecological/ environmental concerns
- Flood Risk/ drainage, including foul water drainage
- Conflict with Local Plan spatial strategy
- Overdevelopment of plot
- Loss of agricultural land
- Lack of consultation
- Pollution, including pollution arising from overflowing drainage systems and air pollution
- Loss of privacy
- Lack of information provided as part of the application

- Crime and potential for increase in anti-social behaviour
- Impact on nearby commercial site
- Greater consideration of housing mix through the settlement - need for more luxury homes
- Fire safety - lack of hydrants
- Poor quality design

6.157 During the initial consultation process, a petition of objection, with 280 signatures, was also received. This petition raised issues which broadly aligned with the above summarised points.

6.158 Comments received following re-consultation period, following amendments - 19 November 2025

6.159 During the consultation period following the receipt of amended drawings (19 November 2025 to present), a further 13 letters of objection were received (this figure includes multiple letters from the same property).

6.160 These can be summarised as:

- Lack of infrastructure to accommodate more housing, with particular reference paid to school places and health care facilities
- Increase in traffic, including construction traffic, and the potential safety impacts of this
- Noise impact
- Ecological/ environmental concerns
- Flood Risk/ drainage, including foul water drainage
- Overdevelopment of plot
- Loss of agricultural land
- Poor quality design
- Redline boundary shown would be incorrect, crossing onto land not in the applicant's ownership.

6.161 Outstanding Matters from Resident Comments

6.162 Whilst the majority of matters raised in the resident comments have been covered within the main body of this report, any outstanding matters have been addressed here.

- 6.163 Comments regarding ownership of land are noted; however, site ownership in the way described (i.e where the red line boundary ends) would be a civil matter that would only carry minimal planning weight.
- 6.164 The application has been advertised in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's Statement of Community Involvement. Whilst comments on a lack of consultation are noted, the Council has fulfilled its statutory obligation in this regard. Concerns raised regarding a lack of pre-application engagement by the Applicant with local residents are also noted; however, the Planning Practice Guidance is clear that, whilst pre-application engagement is encouraged, it is not mandatory for development of this nature.

7.0 CONSIDERATIONS

7.1 Key Planning Considerations

7.2 The main matters and considerations in this case include (but are not limited to):

- 7.3
- Principle of Development and Sustainability
 - Affordable Housing and Housing Mix
 - Layout, Design and Impact on the Character of the Area
 - Impact on Neighbouring Residents/Land Users/Land Uses
 - Highway Safety and Parking
 - Refuse Collection
 - Flooding Risk Considerations and Drainage
 - Developer Contributions
 - Open Space, Local Equipped Area of Play and Landscaping
 - Biodiversity and Ecology
 - Archaeology
 - Developer Contributions

7.4 Evaluation

7.5 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.

- 7.6 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.
- 7.7 The policies and provisions set out in the National Planning Policy Framework (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.
- 7.8 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. In this instance, no relevant neighbourhood plans have been adopted.
- 7.9 The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.
- 7.10 Principle of Development and Sustainability
- 7.11 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.
- 7.12 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.
- 7.13 The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development 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.
- 7.14 Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates that within the "settlement boundaries of the Main Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities".

- 7.15 The National Planning Policy Framework, (NPPF) (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".
- 7.16 Para 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. This states that "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 policy 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.
- 7.17 These policies seek 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.
- 7.18 Policy 10 of the South East Lincolnshire Local Plan (2019) sets out how the Local Plan seeks to meet the Districts Assessed Housing Requirements. This details that:
- 7.19 "Provision will be made for a net increase of at least 19,425 dwellings in South East Lincolnshire. By Local Authority area over the Local Plan period (2011-2036) this is:
- Boston Borough: 7,744 at 310 per annum
 - South Holland: 11,681 at 467 per annum".
- 7.20 This development will be delivered, in part, through a series of site allocations across the district.
- 7.21 The application site in this instance is within Crowland, a 'Main Service Centre', and lies within the defined settlement boundaries as detailed by Policy 1. In context of this, the principle of residential development within such a location is typically considered to be appropriate, comprising an appropriate form of development for the location in accordance with the overall principles of the spatial strategy, subject to the extent and characteristics of the development; albeit in this instance comprising a sizeable development.
- 7.22 Land Allocation
- 7.23 Irrespective of the above, in this instance the application site comprises a housing allocation site within the South East Lincolnshire Local Plan (2019),

identified as Cro050. This application site is one of six allocated sites within Crowland, the other sites being Cro011 (Land north of Barbers Drove North), Cro036 (18 Low Road), Cro043 (Land east of Crease Drove), Cro044 (Rear of 11 Barbers Drove North) and Cro046 (Former South View Community Primary School), as outlined within Policy 11.

- 7.24 The allocation referred to, Cro050, is a site of 3.48 hectares and contains a notional site capacity of 70 dwellings. With the proposal seeking full permission for 80 dwellings, the scheme seeks an approximate increase of 14% in comparison. It must be noted that the capacity outlined within any site allocation is not a proscriptive figure. Whilst this number offers an indication of the estimated extent of development, this would typically comprise a starting point for a scheme and does not, and should not, prevent a proposal comprising a number in excess of this, so long as the development complies with the overall requirements of the Local Plan. As such, notwithstanding the proposal comprising a higher number of units than is indicated within the allocation, this does not in itself represent harm nor reasonably warrants the refusal of the planning application.
- 7.25 Whilst being in excess of the indicative site capacity, the uplift in number of properties, in this instance, is not considered to be unacceptable and would equate to a gross density of 23 dwellings per hectare (dph).
- 7.26 In context of this, the principle of development within this location is acceptable and considered to be appropriate, and given its allocation, the principle of this type of development on the application site has therefore already been established and is considered to comprise an appropriate form of development for the location. The proposal is in accordance with the overall principle of the spatial strategy.
- 7.27 Principle Conclusion
- 7.28 In any event, in light of the above, when considering both the sites housing allocation and assessing the appropriate nature of the development in principle when viewed in isolation in any case, it can be concluded that the principle of residential development, consisting of 80 dwellings, on this site is acceptable and comprises an appropriate form of development.
- 7.29 As such, the proposal is considered to be in accordance with the requirements of Policy 1, Policy 10 and Policy 11 of the South East Lincolnshire Local Plan (2019) when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, impact on highway safety and flood risk, which are discussed in turn as follows.

- 7.30 Layout, Design and Consideration of the Character and Appearance of the Area
- 7.31 The proposed development comprises the erection of 80 dwellings, on an allocated site off Normanton Road, within the settlement of Crowland. The proposal is entirely residential in nature and seeks to develop a site that is currently undeveloped. The proposal, given its nature, would evidently cause a notable change in respect of the sites visual context; however, when broadly viewing the nature of the development in this regard, comprising residential development, this is considered to be appropriate given the sites allocation as a housing development. This is further considered given the immediate context to the south and west, which comprises residential development, alongside existing built form and uses to the east.
- 7.32 Beyond this, the acceptability in regard to the change in the visual appearance and nature of the site, in addition to its loss as agricultural land to housing, has already been considered acceptable and established through the sites allocation within Policy 11 of the Local Plan. As such, whilst the loss of an agricultural field is unfortunate, this is an acceptable and already established loss to provide the strategic growth and housing needs of the District and the settlement.
- 7.33 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.
- 7.34 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.
- 7.35 Development proposals should also ensure that developments 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.

- 7.36 Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it 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.
- 7.37 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.
- 7.38 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.
- 7.39 The proposed development comprises a site that has been allocated for housing development and lies immediately neighbouring existing residential properties to the south and east, along Normanton Road, Jubilee Way and Girdlestone Walk. The site is bounded by open countryside to the northern boundary.
- 7.40 The application site is not located within a landscape of any special designation, protection or sensitivity. The application site is considered to be largely visually constrained by the adjacent residential dwellings forming the settlement, in addition to extensive, mature trees and vegetation, which results in the application site having limited interconnectivity with the surrounding countryside and landscape. Due to the partial back land position of the application site, the site is not located in an overtly or visually prominent location within the overall context and setting of Crowland.
- 7.41 In the opinion of officers, it is considered that the application site makes a limited contribution to the character and value of the surrounding landscape by virtue of the limited inter-visibility between it and the surrounding countryside. In a similar manner, the site does not form any significant public realm of viewpoint for the settlement, nor would the development restrict any views from Crowland to the surrounding landscape.
- 7.42 In terms of the application sites relationship with Crowland, whilst the site is predominantly a back land development, it would be sequentially acceptable as a logical, and strategically planned extension to the settlement.

Furthermore, due to the limited prominence of the site and limited visibility that would exist, the site would not be viewed as a poorly-related spur, nor would it appear as an incongruous development visually.

- 7.43 It is accepted that, given the greenfield nature of the site, that the development of this land would result in a change in the character of the immediate area. Furthermore, it is also noted that the development is relatively sizeable, with the properties being readily visible within the surrounding area.
- 7.44 However, it is considered that a scheme for residential development, comprising the proposed layout and design of 80 dwellings, can be accommodated within the site without causing a materially harmful impact to the character or appearance of this part of Crowland. It is considered that the proposed development would be viewed entirely within the context and backdrop of the existing modern housing estate to which the proposed development would lie adjacent to, and would not appear as a visually incongruous development, nor would it form a poorly related spur.
- 7.45 Whilst the proposal does not form a secondary phase to the initial development, given the layout and connectivity, the site would lie and read as a natural extension to the existing housing estate, which is reasonably self contained visually. The proposal in this regard would not adversely harm the settlement pattern of Crowland, with the principle of this housing expansion, in addition to its subsequent impacts on the settlement, has already been principally accepted by South Holland District Council through the adoption and allocation contained within the South East Lincolnshire Local Plan (2019).
- 7.46 As alluded to above, the principle of the development of this site is accepted via its allocation within the South East Lincolnshire Local Plan and as such, subject to appropriate design, such development is not considered to cause any significant or demonstrable adverse impacts in this respect, that would warrant refusal of this proposal in terms of visual impact.
- 7.47 The proposed development of 80 dwellings does exceed the notional quantum of development indicated by the South East Lincolnshire Local Plan, as discussed above. The development would comprise a slightly higher density than that of the indicative site capacity. Notwithstanding this, the proposed scheme would comprise a density of 23 dwellings per hectare, an appropriate density for the area. The density proposed is not out of keeping for the context to which it would reside, being similar to that of the of the adjacent housing estate to which the resultant scheme would adjoin.
- 7.48 As such, this proposal is considered to tie in with the existing built environment and it is viewed that the density would not be harmful to the character of the area, or the settlement given its relationship with the

immediate built environment. It is considered to be an appropriate density for this context, and is not considered to be out of keeping with the character of the area and is considered to be well accommodated within the site.

- 7.49 Beyond this, the proposed development has been designed as to incorporate an area of open space, which itself contains an area of equipped play, that lies centrally within the scheme. Residential properties lie to the north, south and west of the open space beyond the proposed highway, providing a focal aspect to the scheme that contributes positively to the design. The National Design Guide is clear in respect of open or public spaces that the good design of such spaces "encompasses its siting and integration into the wider network of routes as well as its various elements". In addition, the proposal also incorporates trees, which in areas can be viewed as tree lined streets, and as such, this further conforms with the principles of high quality design as set out within paragraph 136 of the National Planning Policy Framework (December 2024).
- 7.50 Details of the equipped area of play are to be provided at a later date; however, its siting, opportunity for use and additional movement provided due to its siting positively contribute to the scheme. Likewise, the National Design Guide also highlights the importance of "natural surveillance from inside buildings provided by windows and balconies, so that users of the space feel they might be overlooked by people from inside".
- 7.51 The residential development itself comprises a mix of house types and styles, to present an attractive road fronting development in the large part, with the layout comprising adopted highways throughout the site, with residential properties fronting onto these adopted roads. The scheme incorporates edge lanes, offering a softer design approach through the scheme, with areas of grass frontages throughout plots within the scheme.
- 7.52 The scheme, beyond the western and southern linear form, comprises two distinct areas of built form, offering a confined form for plots 5-20 and 59-80 respectively. These areas have been designed as to have a circular access, with the rear amenity garden spaces adjoining. As such, the proposal seeks to provide garden to garden relationships in this regard, which is considered to be a fairly typical and suitable design for such a scheme.
- 7.53 The plots located to the western and southern aspects of the site, which bound the site boundary, are set as to comprise a highway fronting arrangement, offering a positive design that addresses the wider site.
- 7.54 The design, layout and overall orientation of plots are considered to be well-designed and acceptable; with positive amendments having been forthcoming from the applicant who has worked proactively to develop a higher quality scheme through discussion with the Local Planning Authority.

- 7.55 Further to these discussions, the submission illustrates the use of red brick, red multi brick, buff multi brick and white render in regard to the external finish. The materials utilised, are consistent with those already found and in use within the surrounding built environment, and offer a mixture of materials to provide a betterment in design, ensuring a visual break and to reduce the overall visual massing of the development. The materials have been illustrated within the submission and are subject to a recommended condition.
- 7.56 The dwellings themselves; albeit of a fairly typical design for such a residential scheme, have been subject to amendments to incorporate additional features to ensure an enhancement to the overall scheme. Additional fenestration, to lessen blank elevations within primary areas of the scheme, have been included, alongside the addition of floating porches and chimney detailing, amongst other matters.
- 7.57 In considering the landscape impacts that would arise, officers recognise the comments of objectors to the application in relation to the adverse impact that the development would result in through the loss of the agricultural field. However, it is noted that the site is not subject to any formal protection or designation as a public realm or visual amenity area within the Development Plan.
- 7.58 Although it is considered reasonable to conclude that some degree of landscape harm would arise through the loss of an agricultural field, the extent is considered to be minor and not demonstrably significant or adverse. The proposed development would not have a significantly adverse impact upon the character of the local landscape or to the settlement pattern due to the strategically planned nature of the proposed development and due to the relatively limited significance or importance that the site makes to the wider landscape or its setting.
- 7.59 Furthermore, it is considered that the harm that would be caused in this regard would be outweighed by the benefits that the scheme would deliver in terms of the achievable supply of housing and through biodiversity net gain.
- 7.60 Taking account of the above, it is considered that the nature of the development, coupled with the resultant scale (albeit in excess of the indicative site capacity) and design of the proposed development as detailed above, are acceptable. The proposal would not cause an unacceptable or detrimental adverse impact to the character or appearance of the area. Furthermore, the design and appearance of the dwellings are broadly in-keeping with the existing adjacent built environment which will enable the development to integrate effectively with its surroundings.

- 7.61 As such, the proposal would be in accordance with policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).
- 7.62 Impact on Residential Amenity/Land Users
- 7.63 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.
- 7.64 Policies 2 and 3 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.
- 7.65 Policy 30 of the South East Lincolnshire Local Plan (2019) relates to 'Pollution' and details that "Development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon" specific criteria. This includes, health and safety of the public, the amenities of the area; or the natural, historic and built environment.
- 7.66 Overall, it is considered that whilst the development would comprise the erection of 80 dwellings, the proposal would not cause, or give rise to, an unacceptable impact or harm to the residential amenities of neighbouring occupiers.
- 7.67 The proposed development is neighboured by existing residential development to the south and west. To the south lies single storey dwellings (south-west) and two storey dwellings, fronting onto The Gardens and Girdlestone Walk respectively. Likewise, fairly modern residential plots lie to the west, comprising two storey dwellings residing along Normanton Road, with predominately two storey dwellings along Jubilee Way (although the south-easternmost plots of Jubilee Way are dormer bungalows).
- 7.68 The access to the proposed development would be gained via a single point of vehicular access, which would utilise the existing road of Normanton Road, and therefore the occupants would access the development past the existing properties that front onto this road.
- 7.69 The existing properties that immediately neighbour the proposed development along Normanton Road, The Gardens and Girdlestone Walk, would largely comprise garden to garden relationships; albeit, whilst this would predominantly be rear-to-rear relationships, some plots within the existing

residential development to the west, are sited as to have either a fronting or side -on relationship to this eastern application site.

- 7.70 Where existing, the rear gardens of these neighbouring properties, when considered alongside the extent of amenity space and design taken within the proposed development, are of adequate size to provide a sufficient separation distance to the resultant built form of the proposed residential dwellings. Broadly, the arrangement of rear-to-rear gardens are not uncommon within built up urban areas or within Crowland itself, nor is this relationship in respect of rear elevational windows; and as such, it is not considered that an unacceptable in this regard.
- 7.71 Taking this matter further, it should be noted that garden depths along the western boundary of the proposed development are approximately 10m (as they are consistently throughout the majority of the site) and the distance from the westernmost point of the dwellinghouse to the curtilage of an existing dwellinghouse is approximately 20m consistently along this boundary. It should also be noted that garden depths along the southern boundary are also approximately 10m and the distance from the southernmost point of the dwellinghouse to the curtilage of an existing dwellinghouse is approximately 15m consistently along this boundary.
- 7.72 From wall to wall, this distance ranges from 21m to 35m. This distance exceeds the provisions of the National Model Design Code which recommend 15m to 20m. Likewise, to the west, a distance of 20m exists from the back wall of the dwellings to the curtilage of the western neighbours. From wall to wall, the distances are 21m to 33m, with all but one property having at least 30m a separation. Beyond this, further to discussion and amendment, a wildlife corridor is proposed along the entirety of both the southern and western boundaries of the application site, to the rear of the residential plots hereby proposed.
- 7.73 In addition to the adequate and acceptable separation distances proposed within the development, this additional wildlife corridor, beyond providing a visual enhancement, would act as a barrier to obscure potential views of dwellings to both the southern and western neighbours.
- 7.74 When the potential impacts are considered, including the increase in site/finished floor levels, in respect of the potential impacts upon the residential amenities of neighbouring occupiers, in light of the screening the wildlife corridor would provide and the separation distances, it is considered that views from the garden and ground floor windows would be suitably obscured. Likewise, no unacceptable overlooking, loss of privacy or overbearing impact is considered to occur.

- 7.75 A breakdown of the site and finished floor levels, the resultant requirements of the scheme in this regard and an assessment of the impacts caused by levels to residential amenity specifically, is addressed in further detail within this report below.
- 7.76 Agricultural land lies to the north of the application site and as such, no adverse impact would be caused in this regard, to the north of the site.
- 7.77 Notwithstanding the above, it is acknowledged that during any building out of a development, neighbouring amenity can be affected. Such construction works can result in noise and other environmental emissions which can impact upon residents. However, it is acknowledged that this is to be expected for a temporary period. The inclusion of appropriate controls and mitigation secured through the imposition of conditions relating to the Construction Management Plan and a restriction on working hours to avoid noise sensitive times of the day, deal with such matters satisfactorily and will ensure this impact is not severe or harmful.
- 7.78 As detailed above, the proposed siting of residential plots and dwellings, the scale proposed and the design of the proposed development, is considered to be such that there would be no significant or unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended such as the need for a Construction Management Plan, implementation of wildlife corridors and the appropriate securing of the submitted landscaping details. 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).
- 7.79 Highway Safety and Parking
- 7.80 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".
- 7.81 Also pertinent to this application is paragraph 109 of the National Planning Policy Framework (December 2024) which details that:
"Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places". This goes on to express the following within a list of matters that would assist towards this aim:

- "ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places".
- "understanding and addressing the potential impacts of development on transport networks".
- "realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage - for example in relation to the scale, location or density of development that can be accommodated".
- "identifying and pursuing opportunities to promote walking, cycling and public transport use".

- 7.82 Paragraph 115 of the National Planning Policy Framework (December 2024) continues by detailing that in assessing specific applications for development, it should be ensured that "sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location" and "safe and suitable access to the site can be achieved for all users".
- 7.83 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.
- 7.84 The application has been supported by the submission of a Transport Assessment (version 2 dated 10/11/2025). The proposed vehicular access to the site would be gained via Normanton Road, a predominant road that runs from the spinal road of Clout Drove. Normanton Road is characterised by modern residential dwellings and comprises a number of spur roads (also Normanton Road) and adjoins Jubilee Way, a road which terminates towards the south-west of the application site.
- 7.85 The access from Normanton Road, which comprises a continuation of the existing highway road, will lead to newly formed roads running north and south. These roads will lead to edge lanes throughout the proposal, offering two circular highway routes, with a centralised public open space between. Two private access roads to the south-east and south-west of the site are also proposed, serving plots 32-35 and plots 49-53.
- 7.86 The roads, comprising the access road, predominate southern highway and the edges lanes, are to be adopted. The minor private drives are the only areas not to be adopted.

- 7.87 It is noted that the access and highway matters have formed a notable portion of the public representation received throughout the application process; including concerns regarding traffic, safety and construction vehicles.
- 7.88 Notwithstanding this, Lincolnshire County Council Highways have been consulted in this respect and have previously raised no objections or concerns on highway safety grounds. Whilst it is appreciated that the consultation initially received by the Local Highway Authority raised a number of queries, seeking amendment and clarification, these matters were addressed by the applicants through amendments, which followed direct communication between the applicant and both the Local Planning Authority and Local Highway Authority.
- 7.89 Within the most recent formal response received by the Local Planning Authority, it is noted that the proposal is referred to as an extension to 'Phase 1'. It should be clarified that whilst this development would gain access from fairly modern development, via Normanton Road, the scheme does not comprise a secondary phase to this earlier development. Regardless of such, the highway matters have been assessed by the Local Planning Authority and it was concluded that subject to conditions, the proposal was acceptable and "the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk".
- 7.90 Within public representation received, the extent of traffic within the Normanton Road area, with particular focus on the junction with Clout Drove was cited. Safety concerns regarding this aspect were also raised. In this regard, the submitted Transport Assessment presents a detailed analysis of the highway impact of the proposed development at each of the study area junctions.
- 7.91 The Transport Assessment details that "Capacity assessments have been undertaken for the following scenarios:
- 2024 observed
 - 2030 baseline
 - 2030 with development".
- 7.92 In this regard, the Transport Assessment concludes that "The proposed development is forecast to generate 44 and 42 two-way vehicle trips within the AM and PM peak hours, respectively. The proposed site access is forecast to operate with ample spare capacity in both peaks during the future assessment year", with the impacts of the proposed development having been assessed at two off-site junctions where it was considered that there would be no "severe impact on the operation of any junctions within the study area and

no existing highway issue was identified within the study area". In this regard, the Local Highway Authority also concluded that "There are no recorded personal injury accidents in the vicinity of the site".

- 7.93 As such, 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. Furthermore, the modelling assessment undertaken 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.
- 7.94 Whilst this view is not shared by objectors to the application, such concerns are noted to be anecdotal, whereas the application submission is supported by a detailed and appropriate Transport Assessment - the detail, scope, and findings of which are supported and agreed by the Highway Authority as the relevant Statutory Consultee.
- 7.95 Whilst the conclusions of the Transport Statement differ from the views of objectors, no contradictory tangible evidence has been presented beyond anecdotal views to the contrary. 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 or not 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 National Planning Policy Framework (December 2024).
- 7.96 It is therefore considered that the access, layout and roads proposed are suitable and acceptable in this regard.
- 7.97 It is also acknowledged that 'Appendix 5: Allocations - Infrastructure requirements, constraints and mitigation' of the South East Lincolnshire Local Plan (2019) that "The site should preferably be accessed from both Normanton Road and Jubilee Way". Whilst this matter was raised within the initially consultation response from the Local Highway Authority, and was also a matter of discussion between the Local Planning Authority and the applicant, the proposal is considered to be acceptable as proposed, and without the need for this secondary access. This access point would not prevent all additional traffic from accessing Normanton Road via Clout Drove and is not a direct requirement of the policy.
- 7.98 In respect of parking, each plot has private parking arrangements, typically via the drives serving each plot. In some instances these parking areas are to the front of the plots; however, predominantly, the parking provision is offered in

the form of tandem parking to the side of each dwelling. Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, 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.

- 7.99 With very minor exceptions such as those serving single bedroom plots (Hartley House Type for instance), the proposal meets the parking standards required by Appendix 6. As such, the proposal, by virtue of its parking provision and its layout, is considered to be acceptable in this regard.
- 7.100 In reviewing sustainable transport methods, it is considered that the proposal site is such that when considering non-motorised users, the site is located within fairly close proximity to the centre of Crowland and is therefore located within a short walking distance of a good range of amenities.
- 7.101 Returning to the Transport Assessment, in assessing alternative means of sustainable transport, it details that "the proposed development is forecast to generate up to 82 pedestrian trips, 9 trips by bicycle, and 17 trips by public transport across a typical day".
- 7.102 Further to this, alongside additional clarity in discussing the requirements of financial contributions, which is addressed within the relevant section below, it is considered that the existing and proposed infrastructure has the capacity to accommodate this increase in demand.
- 7.103 Therefore, considering the assessment contained within the Travel Statement submitted, and the lack of concern or objection from the Highway Authority, it would be unreasonable to conclude that the proposal would result in demonstrably severe or adverse highway impacts or harm either from 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.
- 7.104 Beyond the above, it should be noted that Crowland comprises a 'Main Service Centre' as detailed within Policy 1 of the South East Lincolnshire Local Plan (2019). Given this, it is evident that Crowland lies within the higher settlements when considering the Settlement Hierarchy of the South East Lincolnshire Local Plan (2019). As such, given the sustainable nature of the settlement, further to the matters raised above regarding accessibility, future occupiers of the proposed development would not be solely reliant on the use of a private motor vehicle, in order to go about their day to day lives. The location of the proposal is such that residents could walk or cycle in a safe and easy manner to nearby amenities and requirements, including shops, schools, pubs, and services within the village.

7.105 Furthermore, the site lies within close proximity to a bus stop, providing a bus service as detailed further within this report below. This service is within easy walking distance from the proposed development and as such, offers further sustainable transport methods for future occupiers, beyond relying on the use of private motor vehicle. This can also be utilised to access work opportunities in the wider area, with other sustainable settlements within fairly close proximity in this regard.

7.106 Overall, taking the above into account, the proposal is considered to be acceptable on highways grounds when viewed on balance, and would not have an unacceptable adverse impact on highway safety, being in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024) when viewed as a whole.

7.107 Site Levels

7.108 Notwithstanding the assessment detailed throughout this report, with direct and specific assessment of the detailed matters on these topics, the following also offers direct comments on numerous considerations, and the potential impact with regard to site levels.

7.109 Existing site levels are shown within drawing ref S5101-02. For the purposes of existing site levels, the site can essentially be divided into four quadrants, with a north-south divide along the existing drain and an east-west divide along the midpoint of the X axis.

7.110 Whilst site levels are covered in detail within drawing ref S5101-02, the following offers a brief summary of the document. The south-east corner has levels ranging from approximately 2.1mAOD to 1.72mAOD, with the majority of readings falling between 1.95m and 2.0m. The ground level lowers slightly as it approaches the eastern boundary, although this figure increases at the boundary due to an existing bund. The south-western corner is slightly lower than the south-east, ranging from 2.11AOD to 1.41mAOD, with the majority of points falling between above 1.75mAOD. The land slopes in the far south-eastern corner. Site levels towards the north of the site are generally lower, with the north-west corner ranging from 1.85mAOD to 1.5mAOD. The north-eastern corner sites between 1.75mAOD and 1.33mAOD.

7.111 Existing site levels along the western boundary are generally in the region of 1.6mAOD (with no point dropping below this figure), rising in the centre to approximately 1.95mAOD. The existing level of the road which would lead into the access to the site is approximately 1.84mAOD, indicating that the site is marginally below the adjoining land. The far south-western corner of the land does decline to 1.42m, before rising sharply to 1.9mAOD at the boundary of the site. Rising from this nadir, the southern boundary reaches a peak at

2.2mAOD (towards the centre of this boundary with 8 Girdlestone Walk). Levels along this boundary are generally consistent at between 1.7mAOD and 2mAOD. This is comparable to the garden levels of the properties along Girdlestone Walk.

- 7.112 Proposed site levels are detailed in drawing ref. 1279-00-05 Rev B and 1279-00-06. Briefly summarising the contents of these plans, specifically with relation to the southern and western boundaries seeing as these are the most sensitive areas of the scheme from a site level perspective, ground levels at boundaries are generally increased by approximately 300-400mm while finished floor levels (FFL) of dwellings would be raised by approximately 1m, in line with the comments of the Environment Agency. Internally, site levels are to be raised by 1m.
- 7.113 Beginning with Plot 21 and working anti-clockwise, the FFL of the dwelling are to be raised to 2.8mAOD (a rise of approximately 1m above existing levels), with ground level at the western corner of the dwellinghouse being 2.65mAOD. The garden would then slope to reach 2.25mAOD at its western most point (a rise of approximately 0.38m over existing levels). The site level would then slope down through the wildlife corridor, reaching approximately 1.88mAOD at the boundary 66 Normanton Road (no change to the level here is proposed). This trend of a 1m rise in FFL over existing levels, with a 0.15m drop to the new site level at the entrance to the dwelling, is continued along the western boundary. Plots 27 and 28 are raised marginally higher than the others (at 3.15mAOD, representing a 1.2m rise). Between Plots 21 and 33, the mode FFL is 2.9mAOD. Finished site levels along the western boundary (i.e., where the dwellings' fences would be located) is consistently set at between 2.15mAOD and 2.3mAOD, representing an increase of no more than 0.45m. The ground would then slope downwards through the wildlife corridor, to existing levels at neighbouring dwellings.
- 7.114 It should be noted that garden depths along this western boundary are approximately 10m (as they are consistently throughout the majority of the site) and the distance from the western-most point of the dwellinghouse to the curtilage of an existing dwellinghouse is approximately 20m consistently along this boundary. This enables a gentler gradient of slope.
- 7.115 Moving to the southern boundary, again FFL would be raised by approximately 1m and there would then be an approximate 0.15m step down at the threshold to finished site level. This results in FFLs between 2.9mAOD (Plots 34 and 35) and 3.25mAOD (Plots 50 and 51 on the far corner to Plots 34 and 35). Site levels between this broadly sit at 3 to 3.15mAOD. This is generally a 1m to 1.1m increase compared to existing levels, with the exception of Plots 50 and 51 where a 1.3m rise is anticipated.

- 7.116 The southern boundary site level (i.e., where the fence would be located) is proposed to be 2.2mAOD at Plot 24, rising gradually to 2.45mAOD at the boundary of Plot 42/43. This then gradually falls again to 2.25mAOD, at Plot 48/49, before rising again to 2.45mAOD at Plot 50/51. Along this boundary, this would represent an approximate change in site level of 0.4 to 0.5m. In the wildlife corridor, the site levels fall slightly (by approximately 0.1m) before rising again at the boundary with properties. This is a pre-existing rise, and no engineering works to raise finished levels are shown in the wildlife corridor. This means that the finished site levels at the southern most point of the residential curtilages (i.e., where the proposed boundary treatments would be located) would be approximately 0.3 to 0.5m higher than the ground level of the neighbouring dwellings. This slope is accounted for in the wildlife corridor.
- 7.117 It should be noted that garden depths along this southern boundary are also approximately 10m and the distance from the southern-most point of the dwellinghouse to the curtilage of an existing dwellinghouse is approximately 15m consistently along this boundary.
- 7.118 Assessment of Implications
- 7.119 Broader assessment of the scheme can be found within the relevant sections of this report. Whether explicitly stated or otherwise, any previous or subsequent commentary in this report on the merits of the application have been made in light of the proposed raise in site levels. The following commentary is intended to supplement the other sections of this report specifically with regards to the implications arising from the raising of levels throughout the site. The following therefore should be read in conjunction with the relevant sections of the report, including the explanatory policy text of each section.
- 7.120 *Site Levels - Flood Risk*
- 7.121 The site is within the "danger for most/ danger for all" classification within the Strategic Flood Risk Assessments, with flood depths expected to reach between 0.5m to 2m. Drawing ref 1279-00-06 shows the extent of land within each flood risk category. It is the north-eastern corner of the site which is within the 1-2m depth band. This would appear to include Plots 1-19 (although only 5-17 are wholly in this area). Plots 42 and 43 appear to fall within the 0.25m to 0.5m band, whilst the rest of the site sits in the 0.5m to 1m depth band. This includes all plots which share a boundary with a residential property.
- 7.122 The standing advice provided by the Environment Agency, is that FFL should be raised above expected flood depths where possible. As a result, this would necessitate a minimum 1m raise in FFL for all properties with flood depths up to 1m. This has been achieved. To lower FFL below these levels would place

potential occupants at an undue risk of the impacts of flooding, as water could enter the property in a flood event. This method has been shown to be the most effective way of mitigating the impacts of flooding. On this basis, it is considered, in line with the advice of the Environment Agency, that the most effective manner to secure the safety of properties is to raise FFL.

- 7.123 Where FFL would sit below flood depths (i.e., Plots 1-19) demountable defences are to be used. Whilst this is a less effective method than simply raising floor levels, a rise of 2m would have additional design and amenity implications which would far exceed the benefits from a flood safety perspective. Therefore, on balance, the installation of demountable defences is considered acceptable here.
- 7.124 On account of the raise in levels, and as discussed in greater detail within the relevant section of this report, all properties are considered to be safe for their lifetime.
- 7.125 Part 3f of Policy 4 of the South East Lincolnshire Local Plan, 2019, states that proposals should demonstrate:
- "that the proposal will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall"
- 7.126 The flood risk on the site is primarily fluvial in nature, arising only if a breach of the Welland was to occur. The data provided by the Environment Agency's Flood Risk Maps for Planning shows only minimal levels of expected surface water flooding in a 1 in 1000-year event. On the basis of the potential sources of flooding, it is not considered that the raise in site levels would result in an increased risk of flooding. It could be argued that the installation of a pumping station and attenuation pond would act as a benefit to the site, reducing the potential for surface water flooding to occur.
- 7.127 *Site Levels - Layout, Design, Scale and Consideration of the Character of the Area*
- 7.128 Internally, the roadways have been raised so that there is, on average, a difference of less than 150mm between the height of the road and FFL. This would prevent the dwellings from appearing unnatural, due to their raising, or overly dominant.
- 7.129 The dwellings proposed are, on average, approximately 8.5m tall. Whilst this would mean that dwellings are of a significant height, when the raise in FFL and site levels is taken into account, it is not considered that the dwellings would appear overly tall when viewed externally. Between each dwelling and the neighbouring curtilage is a distance of at least 15m. There would also be a

wildlife corridor, acting as a visual barrier. It is considered that when these two factors are taken together, the approximate 3m difference in ridge level between the southern properties and those along Girdlestone Walk, would not appear overly significant. Along Normanton Road and Jubilee Way, there are dwellings with a comparable ridge level (see 66 Normanton Road and 63 Jubilee Way), thereby naturalising the development to a certain extent.

7.130 In any event, due to the existing dwellings on the relevant streets, visibility from the public realm would be reduced dramatically. From the main thoroughfares of Postland Road and Clout Drove, views of the estate would be largely obscured by the existing dwellings. Similarly, when traveling along Normanton Road or Jubilee Way, visibility would be restricted to only the eastern most edges of the streets. Therefore, the raise in FFL would only be noticeable from a handful of properties who border the site.

7.131 *Site Levels - Impacts Upon Resident Amenity*

7.132 As previously outlined, along the south of the proposal site, a distance of 15m from the back wall of the dwellings to the curtilage of the neighbouring dwellings is present. From wall to wall, this distance ranges from 21m to 35m. This distance exceeds the provisions of the National Model Design Code which recommend 15m to 20m, and is considered to be sufficient in order to reduce levels of overlooking. In any event, the proposed wildlife corridor would act as a barrier to obscure potential views of dwellings to the south.

7.133 Likewise, to the west, a distance of 20m exists from the back wall of the dwellings to the curtilage of the western neighbours. From wall to wall, the distances are 21m to 33m, with all but one property having at least 30m a separation. This again is considered sufficient, in light of the wildlife corridor, to reduce overlooking to an acceptable level from first floor windows.

7.134 A 1.8m high timber fence is proposed. When this is considered in light of the screening that the wildlife corridor would provide, in addition to the separation distances, it is considered that views from the garden and ground floor windows would be suitably obscured.

7.135 *Site Levels – Summary*

7.136 To summarise the above, FFL are to be raised by at least 1m throughout the site, with site levels rising by a comparable level internally. A gradual slope through residential gardens would reduce the plainness of this rise in levels.

7.137 That being said, it is not considered that the rise in levels, which the onsite flood risk necessitates, would have an adverse amenity or character impact either internally or externally, neither would this increase result in any discernible harm to the character and visual appearance of the surrounding

built environment, to the settlement character or to the wider surrounding landscape.

7.138 Refuse Collection

- 7.139 As detailed earlier within this report, Policy 30 of the South East Lincolnshire Local Plan (2019) relates to 'Pollution' and details that "Development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon" specific criteria. This includes, health and safety of the public, the amenities of the area; or the natural, historic and built environment.
- 7.140 In this regard, the appropriate design of development is critical in ensuring the adequate delivery and appropriate storage of waste and refuse. Guidance as outlined within the 'South Holland's 'Private Drives - Waste Vehicle Collection Service - Guidance Note' expresses that typically, development is required to ensure a carrying distance that is of 30 metres or less to a collection point, as a distance in excess of 30 metres would exceed Building Control guidance and is an indicator of poor design.
- 7.141 It should be noted that this comprises a guidance note and is not a specific policy within the South East Lincolnshire Local Plan, nor a formally adopted Supplementary Planning document.
- 7.142 The proposed development in this instance, as expressed in further detail within the report above, comprises a single vehicular access to the development site via Normanton Road, located to the north-west of the site. Normanton Road is an adopted highway, and is the principal road running from Clout Drove. The proposed highways throughout the development site, including the immediate access (which comprises a continuation to the current termination of Normanton Road) and primary roads and edge lanes, are to comprise adopted highways.
- 7.143 Waste collection vehicles will have the ability and authority to attend these plots served by the proposed adoptable highways; and as such, would provide an adequate and appropriate form of refuse collection.
- 7.144 However, it is noted that the development does comprise two private drives of a similar nature, located to the south-east and south-west of the site, serving plots 32-35 and plots 49-53.
- 7.145 Within the areas accessed via a private drive, a single waste collection point is proposed in each of the two instances. For these properties, it is proposed that waste would be stored within the bin collection point, with collection occurring through South Holland Waste Services. The aforementioned properties served via a private drive are located within the 30 metres carrying

distance and as such, the proposal accords with the requirements of the guidance note.

7.146 Overall, it is considered that the majority of plots are served via an adoptable road, or are sited within 30m of a waste collection point. It is considered that the proposal accords with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan and the intentions of the National Planning Policy Framework (December 2024) in this regard.

7.147 Flood Consideration

7.148 Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

7.149 This goes on to state, within Paragraph 172, that all plans "should 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: a) applying the sequential test and then, if necessary, the exception test as set out below". Paragraph 173 of the National Planning Policy Framework (December 2024) goes on to state that "A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding", by following the steps set out within Section 14 of the National Planning Policy Framework (December 2024).

7.150 Paragraph 174 goes on to state that, "Within this context 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", with the strategic flood risk assessment being the tool to demonstrate this.

7.151 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.

7.152 Policy 4 of the South East Lincolnshire Local Plan 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, where:

1. 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).
- 7.153 The site lies within Flood Zone 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.
- 7.154 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 South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.
- 7.155 As has been discussed elsewhere within this report, the site is within a "danger for most/danger for all" classification within the Strategic Flood Risk Assessment, with flood depths expected to reach between 0.5m to 2m across the site.
- 7.156 Notwithstanding this, 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.
- 7.157 In light of this, and notwithstanding the matters raised with regard to the sequential test, the National Planning Policy Framework (December 2024) within paragraph 180 is clear in that "Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again".
- 7.158 As such, the sequential test is not required for sites allocated in the Local Plan, minor development 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)", with 'minor development' in this instance taking the definition outlined within the NPPF and National Planning Practice Guidance in relation to flood matters.
- 7.159 As such, notwithstanding this, the Local Plan has allocated sequentially preferable sites in terms of flood risk that are capable of meeting the identified housing targets for individual settlements. The application site in this instance is a housing allocation within the Local Plan and as such, the sequential test

is not required in this instance. However, "the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account".

- 7.160 Paragraph 178 is clear that 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.
- 7.161 The Environment Agency have been consulted and, following amendments further to their initial consultation response, have formally removed their objection, and have detailed that the proposal is acceptable in their regard, subject to appropriate conditions which require the recommendations of the submitted Flood Risk Assessment to be implemented.
- 7.162 As has been outlined above, the site is within a "danger for most/danger for all" classification within the Strategic Flood Risk Assessment, with flood depths expected to reach between 0.5m to 2m across the site.
- 7.163 Drawing no.1279-00-06 shows the extent of land within each flood risk category. It is the north-eastern area of the site that is located within 1-2m depths. This would appear to include Plots 1-19 (although only 5-17 are wholly in this area). Plots 42 and 43 appear to fall within the 0.25m to 0.5m area, whilst the rest of the site sits in the 0.5m to 1m depth. This includes all plots which share a boundary with an existing residential property.
- 7.164 The standing advice provided by the Environment Agency, is that finished floor levels should be raised above expected flood depths where possible. As a result, this would necessitate a minimum 1m raise in finished floor levels for all properties with flood depths up to 1m. To lower finished floor levels below these levels would place potential occupants at an undue risk of the impacts of flooding, as water could enter the property in a flood event. This method has been shown to be the most effective way of mitigating the impacts of flooding.
- 7.165 The submitted details evidence that this has been achieved. On this basis, it is considered, in line with the advice of the Environment Agency, that the most effective manor to secure the safety of properties is to raise finished floor levels.
- 7.166 Where finished floor levels would sit below flood depths (i.e., Plots 1-19), demountable defences are to be required and utilised. Whilst this is a less effective method than simply raising floor levels, a rise of 2m would have additional design and amenity implications which would far exceed the

benefits from a flood safety perspective. Therefore, on balance, the installation of demountable defences, beyond the increase in finished floor levels of 1.0m is considered acceptable here.

- 7.167 It should also be noted that in this regard, this mitigation is deemed to be acceptable and appropriate by the Environment Agency, as confirmed via formal consultation, and provides suitable mitigation to alleviate flood risk impacts.
- 7.168 On account of the raise in levels, and other mitigation as outlined within the submitted Flood Risk Assessment, all properties are considered to be safe for their lifetime. It is also evident, given the allocation of the site, that the delivery of housing, as proposed by this development, offers development that provides a wider sustainability benefits to the community that outweigh the flood risk.
- 7.169 Part 3f of Policy 4 of the South East Lincolnshire Local Plan, 2019, states that proposals should demonstrate:
- "that the proposal will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall".
- 7.170 The flood risk on the site is primarily fluvial in nature, arising only if a breach of the Welland was to occur. The data provided by the Environment Agency's Flood Risk Maps for Planning shows only minimal levels of expected surface water flooding in a 1 in 1000-year event. On the basis of the potential sources of flooding, it is not considered that the raise in site levels would result in an increased risk of flooding. It could be argued that the installation of a pumping station and attenuation pond would act as a benefit to the site, reducing the potential for surface water flooding to occur.
- 7.171 Overall, when considering the development on balance, it is considered that given the mitigation measures detailed and recommended by condition, the proposal passes the exceptions test and accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.
- 7.172 Drainage and Anglian Water
- 7.173 Policy 4 of the South East Lincolnshire Local Plan (2019), in addition to its considerations of flood risk, also concerns site drainage. This would be both foul and surface water drainage.
- 7.174 In respect of drainage, the application has been accompanied by a Drainage Statement, which comprises a report that aims to be "a strategy document to

identify possible solutions for drainage aspects and to show how they would sit within the suggested development framework".

- 7.175 In this regard, the submitted drainage statement details that the site investigation (BRD4519-OR2-A) has shown that groundwater levels are at approximately 1.5m depth, with the requirement of a minimum of 1m unsaturated zone, the site would not be suitable for traditional housing soakaways. Permeable paving, however, as it is higher would prove suitable, so drives will be constructed using permeable paving. The roads and houses on the site, at this stage, therefore has been analysed based on hierarchy 2. Sustainable Urban Drainage Techniques (SUDs) are to be incorporated into the design, in accordance with best practice, taking aspects from CIRIA C609 Sustainable Drainage Systems and CIRIA C753 SUDs Manual".
- 7.176 The report identifies that the site topography is such that there is a slight fall from south to north on the site of approximately 0.5m. In light of this, the surface water "designed for this scheme has considered the existing topography and previous uses of the site in respect of the potential runoff rates and strategies. It has been confirmed through investigation that the site is overlain generally with fine-grained soils in this southeastern area ranged from firm brown slightly gravelly sandy clay to stiff grey brown slightly gravelly slightly sandy clay, with the gravel content generally consisting of fine to medium sub-rounded to sub-angular flint".
- 7.177 The statement continues by addressing, in respect of surface water drainage, that "the site has been designed to greenfield runoff rates as developed by HR Wallingford based on a development area, excluding POS outside of the development envelope, which would have no addition to the greenfield runoff rates for the development. The total impermeable site area contributing to the drainage outfall is Q_{bar} of 4.8l/s was calculated and utilised for the design of the attenuation. All Surface Water drainage to be modelled to take 1:100 year + 40% climate change storm plus an additional 6% for urban creep, to ensure the drainage is contained within the system with no detriment to the households. Design calculations are appended to this document, which show no flooding under any of the modelled events."
- 7.178 Further to this, the proposal has been designed as to incorporate Sustainable Urban Drainage Systems. The statement addresses that the scheme use SuDs to improve water quality and flow, with:
- 7.179 - The main access roads having been designed with a Filter Strip and Swales along its length to provide better treatment train for SW runoff from the roads.
- The site drains via a network before outfalling to a detention basin. This then outfalls to the North Level IDB Brickfield Drain to the north, which when

combined, provide sufficient treatment train to improve the water quality in line with the requirements of C753.

- 7.180 In this regard, the statement concludes that: "the presented scheme, by the use of SuDS techniques, such as Filter Strips, Swales, Porous Paving, Basins, offers a surface water drainage scheme which complies with current best practice... and will not increase the risk of flooding for the site and neighbouring properties, and this has been modelled for all storm events upto and including a 1 in 100 year event with a 40% allowance for climate change plus 6% allowance for Urban Creep".
- 7.181 Notwithstanding this statement and the submitted details, it has been requested through consultation gained from Lincolnshire County Council as Local Lead Flood Authority and the Internal Drainage Board, that further details be gained via condition in respect of Surface Water Drainage. As such, to ensure the suitability of these details, conditions have been recommended. Therefore, the details in respect of surface water drainage are not being approved in detail.
- 7.182 Turning to foul water, it is proposed that the site is intended to drain to the existing foul system within Normanton Road to the west and as such, this is to be disposed of into an Anglian Water system, as the sewerage and water provider for the area.
- 7.183 Anglian Water had initially assessed the proposal and raised objection to this proposal (see comments summarised above), due to the intended connection to the public foul drainage network, on the grounds that there is inadequate capacity at the Crowland Water Recycling Centre (WRC), stating that the additional flows that would be generated by the proposed development could lead to additional pollution and a deterioration in water quality, and an unacceptable risk of breaching environmental legislation at Crowland WRC.
- 7.184 As a matter of context, it is a legal right for developers to connect into the sewerage network under Section 106 of the Water Industry Act 1991. In such circumstances the Act confirms, 'The sewerage undertaker cannot refuse to permit the connection on the ground that the additional discharge into the system will overload it. The burden of dealing with the consequences of this additional discharge falls directly upon the undertaker and the consequent expense is shared by all who pay sewerage charges to the undertaker.'
- 7.185 It should be noted, further to the latest list of Anglian Waters water recycling centres (WRC) and a change in Anglian Water methodology for assessing WRC capacity which offers a more representative long-term assessment of available capacity, revised comments were received from Anglian water which specifically sought to withdraw their objection with regard to wastewater treatment.

- 7.186 As such, Anglian Waters current position with regard to this application is to raise no objections.
- 7.187 In any case, it was appreciated that Anglian Water, in their capacity of providing consultation responses, were objecting to a large extent of proposals within areas where they consider there to be a lack of sufficient capacity. Beyond the direct response that they were recommending "that planning permission be refused on the grounds of insufficient infrastructure capacity and to prevent environmental harm", no further detail of this matter had been provided, nor have the likelihood or potential harm been specifically identified in relation to the site-specific risk and environmental harm that would occur should the development be approved and connected to the existing foul network.
- 7.188 Paragraph 201 of the National Planning Policy Framework (December 2024), in discussing 'Ground conditions and pollution', states that "The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities".
- 7.189 Furthermore, turning to National Planning Policy Guidance, paragraph 016 states that "Water quality is only likely to be a significant planning concern when a proposal would:
- involve physical modifications to a water body such as flood storage areas, channel diversions and dredging, removing natural barriers, construction of new locks, new culverts, major bridges, new barrages/dams, new weirs (including for hydropower) and removal of existing weirs; and/or
 - indirectly affect water bodies, for example: - as a result of new development such as the redevelopment of land that may be affected by contamination, mineral workings, water or wastewater treatment, waste management facilities and transport schemes including culverts and bridges; - result in runoff into surface water sewers that drain directly, or via combined sewers, into sensitive waterbodies e.g. water bodies with local, national or international habitat designations; - through a lack of adequate infrastructure to deal with wastewater; - through a lack of adequate infrastructure to deal with wastewater where development occurs in an area where there is a strategic water quality plan e.g. Nutrient Management Plans, River Basin Management Plans, water cycle studies, diffuse water pollution plans or sewerage undertakers' drainage strategies which set out strategies to manage water quality locally and help deliver new development".

- 7.190 Given the absence of any specifically articulated risk or harm that may occur from the development, and given the absence of any identified risk or harm being directly attributable to the proposed development, in particular in the absence of this from Anglian Water in its capacity as sewerage undertaker, it is considered that the proposal would not result in any of the above scenarios.
- 7.191 Beyond this, and a notable point, the application site and development proposal relates to an allocated site within the adopted South East Lincolnshire Local Plan (2019). The adoption of this Local Plan, and the evident preparation of such allocations, evidently shows that Anglian Water has had advanced warning of the proposal and the opportunity to plan and ensure that adequate infrastructure is present to accept any resultant increased flows.
- 7.192 In the development and adoption of the Local Plan, Anglian Water were a consulted and interested party at the time. Throughout this process no objections were raised by Anglian Water to the allocation of any individual residential sites, neither were future network capacity concerns raised at either the consultation or hearing stages for each Local Plan.
- 7.193 Therefore, it is reasonable to conclude that as known and strategically planned development, each allocated site has been considered within the Anglian Water Asset Management Period. Accordingly, allocated sites should be both considered and catered for within the existing 'headroom capacity'.
- 7.194 Irrespective of this, as outlined above, Anglian Water have now confirmed and outlined their updated position and raise no objections to the proposal; stating that "Crowland WRC is within the acceptance parameters and can accommodate the flows from the proposed growth".
- 7.195 As such, the application site can be considered to accord with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019), in this regard. In light of this, it is considered that an appropriately worded condition to require the submission of foul drainage details prior to development commencing is considered acceptable in this instance.
- 7.196 Taking into account the above matters, it is considered that the proposal would comply with Policy 4 of the South East Lincolnshire Local Plan (2019) and the relevant provisions of the National Planning Policy Framework (December 2024), subject to compliance with the recommended drainage conditions.
- 7.197 Biodiversity
- 7.198 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.

- 7.199 "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".
- 7.200 The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.
- 7.201 The effect of Paragraph 13 of Schedule 7A to 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.
- 7.202 For applications that are submitted prior to the introduction of this requirement, the development would be exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.
- 7.203 When taking the above into account, the development in this instance is subject to the statutory 10% Biodiversity Net Gain requirements. In this regard, the application has been accompanied by detailed BNG documentation provided.
- 7.204 The Partnerships Ecologist has commented throughout the application process and concludes that "We are confident that this application can achieve 10% net gain on site. A BNG plan, HMMP and a S106 will need to be secured pre-commencement".

7.205 The submitted documentation details that there is a predicted overall gain of 21.97% in Habitat units (increase of 1.94 units), 60.85% in Hedgerow units (increase of 1.31 units) and 152.85% increase of watercourse units (increase of 0.08 units). In this regard the applicant has demonstrated that a higher uplift than the mandatory 10% biodiversity net gain would be achieved which weighs positively and should be afforded significant weight in the planning balance.

7.206 As such, conditions requiring the submission, pre-commencement, of a full BNG plan and HMMP, have been recommended, as statutorily required.

7.207 Ecology

7.208 Beyond this, Section 15 of the National Planning Policy Framework (December 2024) seeks to protect sites of biodiversity value, and minimise and provide net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures, including the need to incorporate features which support priority or threatened species such as swifts, bats and hedgehogs.

7.209 Paragraph 193 of the National Planning Policy Framework (December 2024) details that Local Planning Authorities should apply the following principles:

"a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate".

7.210 Policy 28 of the South East Lincolnshire Local Plan (2019) seeks to protect ecological networks of interconnected designated sites and wildlife-friendly greenspace and promote biodiversity net gain by protecting the biodiversity value of land, maximising opportunities to enhance and connect natural habitats, incorporate biodiversity conservation features to enhance green infrastructure and ecological corridors, and conserve or enhance habitat to adapt to climate change.

- 7.211 In this regard, the application has also been subject to thorough ecological documentation accompanying the application. Following earlier comments raised, additional information in the form of ecological provisions were provided.
- 7.212 In consultation with the Partnerships Ecologists, it has been concluded that sufficient ecological data has been provided to determine this application. The mitigation and enhancement recommendations provided in the PEA are supported, and the enhancement provisions (including bird and bat boxes) proposed for this site, as set out in the Ecological Enhancement Plans, are acceptable.
- 7.213 In addition to this, it has been recommended that a pre-commencement condition, seeking a badger presence survey, is required and as such, has been recommended by way of condition.
- 7.214 When taking the above into account, in the context of Section 15 of the National Planning Policy Framework (December 2024) and requirements of Policy 28 of the South East Lincolnshire Local Plan (2019), the proposal is considered to be acceptable, subject to the conditions contained within this report, requiring biodiversity and ecological enhancement.
- 7.215 Contaminated Land
- 7.216 During the application process, consultation was undertaken on a number of occasions with South Holland's Environmental Protection team. Within this correspondence, comments were received in respect of contaminated land which detailed their general agreement with the findings of the:
- 7.217 - BRD Environmental Ltd Phase 1 Geo-Environmental Desk Study for Clout Drove, Crowland, Ref: BRD4519-OR1-A, Dated: December 2024; and
- BRD Environmental Ltd Phase 2 Ground investigation report for Clout Drove, Crowland, Ref: BRD 4519-OR2-A, Dated December 2024.
- 7.218 This latter report concluded that "following exploratory testing for contamination soil on site pose no risk to human health or to the future end user. It was also concluded that ground gas posed no risk to the development or to future users".
- 7.219 However, the consultation response requested that a condition be attached, whereby in the event that contamination is found at any time when carrying out the development, development must be stopped and further action taken in this regard, in conjunction with South Holland District Council.
- 7.220 As such, a condition has been recommended, following the advice of Environmental Protection Officer, in this regard. Subject to this condition, the proposal is considered to be acceptable in regard to contamination.

7.221 Archaeology

- 7.222 In respect of archaeological considerations, the National Planning Policy Framework (NPPF) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
- 7.223 Section 16 of the NPPF also details that "where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation".
- 7.224 Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework. Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology... through high-quality sensitive design.
- 7.225 In respect of archaeology, the application has been accompanied by an Archaeological Desk-Based Assessment and an Archaeological Geophysical Survey. Consultation was undertaken with the Historic Environment Officer of the Historic Places Team, at Lincolnshire County Council.
- 7.226 In response, it was detailed that: "The proposed site lies near the Crowland Peninsula within an area of prehistoric, Roman and medieval archaeological potential, which could be of local significance to contribute to the East of England Regional Research Agenda. This is acknowledged and confirmed by the submitted Desk-Based Assessment. The submitted geophysical survey confirms the presence of archaeological remains, while also acknowledging the limits of this type of survey".
- 7.227 It was concluded that the proposed development could have "a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present". As such, it is recommended that "Currently there is insufficient specific information on the archaeological potential for the site and the extent of impact to buried archaeological remains from the proposed development. Therefore, I recommend the applicant to provide the results of a full standard archaeological evaluation of the site. This is in line with the guidance set out in the NPPF 2024 (paragraphs 207 & 218)".

7.228 In light of this, it is advised that conditions are attached that require the submission of further archaeological investigation. Overall, on the basis of the assessment of the proposal from the County Council's Archaeological and Planning Advisor, and on the basis that further mitigation is secured through the imposition of a condition, and implemented on site, the proposal would not result in any adverse harm to the historic environment. As such, the development is not considered to result in an unacceptable impact in this regard, subject to the conditions detailed.

7.229 Developer Contribution and Section 106 Heads of Terms

7.230 Policy 6 of the South East Lincolnshire Local Plan (2019), in regard to 'Developer Contributions' details that "Developments of 11 or more dwellings... will be expected to mitigate their impacts upon infrastructure, services and the environment to ensure that such developments are acceptable in planning terms".

7.231 This goes on to detail that "Developer contributions will only be sought when they meet the tests set out in paragraph 56 of the NPPF, or any successor. Developers will either make direct provision or will contribute towards the provision of local and strategic infrastructure and services required by the development, either alone or cumulatively with other developments.

7.232 Contributions will be determined having regard to:

- the identified needs generated by the proposed development;
- the viability of the proposed development; and
- the priorities attached to meeting individual local and strategic infrastructure and service requirement.

7.233 "Contributions will be secured through section 106 (legal) agreements".

7.234 The proposal in this instance comprises a major development for the erection of 80 dwellings and as such, would result in the need for S106 contributions including affordable housing, Healthcare, Education, Open Space/Equipped Area of Play and Travel Plan monitoring cost, in addition to the required monitoring fees.

7.235 In addition, a Parish Contribution has also been sought, which is addressed further below.

7.236 In this regard, Policy 6 details that "Developer contributions relating to the provision of:

- affordable housing will be made in accordance with Local Plan Policy 18: Affordable Housing;

- education facilities will be made in accordance with the requirements set out in Appendix 8: Developer Contributions for Education Facilities;
- health facilities will be made in accordance with the requirements set out in Appendix 9: Developer Contributions for Health Facilities; and
- sport facilities, recreational open space and other green infrastructure will be made in accordance with Local Plan Policy 32: Community, Health and Well-being".

7.237 *Affordable Housing*

7.238 Policy 18 of the South East Lincolnshire Local Plan (2019) details that "In South Holland about 282 new affordable dwellings per annum, equating to about 60% of the overall annual housing need".

7.239 Policy 18 requires the provision of 25% affordable housing on-site, for market schemes within South Holland. The proposal seeks permission for 80 residential dwellings, with the proposal therefore requiring the provision of 20 affordable houses.

7.240 This has been reaffirmed by South Holland's Housing Strategy amongst a variety of continued dialog during the application process; with a need for this provision to be secured via a Section 106 agreement.

7.241 The affordable units would comprise the following tenure split, which has been discussed and agreed with South Holland's Housing Strategy Officers:

- Four 3-bed shared ownership units
- Two 2-bed shared ownership units
- Four 1-bed affordable rent units
- Four 2-bed affordable rent units
- Four 3-bed affordable rent units
- Two 4-bed affordable rent units.

7.242 These are as per those demonstrated within the formally submitted plans and documents, and are to be secured via a Section 106 agreement.

7.243 Overall, it is noted that the proposal accords with the minimum requirements for affordable housing provision as set out within the South East Lincolnshire Local Plan (2019) and would fulfil the identified local need for affordable housing within Crowland. As such, the Social and Economic benefits of the supply of affordable dwellings would deliver considerable planning gains and would have significant benefits. The proposed development would deliver a significant contribution towards this local affordable housing need, which

should be afforded significant weight in support of the planning application when considered in the planning balance.

7.244 *NHS Healthcare*

7.245 Requests for financial contributions have been forthcoming from the NHS, as below:

- The contribution requested for the development is £73,180.80 (£914.76 x 80 dwellings). With a trigger point for the release of funds for health care to be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development.

7.246 This request outlines that "an increase in population of 192 in the South Holland District Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above). This in turn impacts on premises, with extra consulting/treatment room requirements".

7.247 The consultation response further details that "The development will impact Abbeyview Surgery and Beechfield Medical Centre as the development is within their catchment area".

7.248 In light of this, the requested sum has been made with the intention to "contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the South Lincs Rural and Spalding Primary Care Networks (PCNs) at Abbeyview Surgery and/or Beechfield Medical Centre. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need".

7.249 *Education*

7.250 Requests for financial contributions have also been made by Lincolnshire Education, as below:

- £475,524 has been requested, at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability.

7.251 This contribution has been requested as "the development would result in a direct impact on local schools, with a contribution therefore being requested to mitigate the impact of the development at local level.

7.252 It is noted that the initial consultation sought a sum of £611,780.70. However, further to additional information in the form of a 'Review of Request for Contributions' provided by the applicant, LCC Education agreed that "the report does reflect the position that was taken", but further to additional checks, it had been confirmed that "The Deepings will be running a sixth form

now" and as such, the capacity of sixth form places differed to that which was utilised to establish the initial sum.

7.253 As such, the financial sum was amended to accurately reflect the needs.

7.254 *Parish Council*

7.255 During the initial consultation for this application, no comments were received from the Parish Council which directly sought a financial contribution, as a result of the potential impacts of the development. However, following re-consultation, the case officer received communication (initially via a phone call) to discuss the Parish Council's wish to request a financial sum.

7.256 Further to this, a written request was received which set out that the Parish Council sought a sum of £120,000, amounting from £1,500 per dwelling, to contribute to either new community building and sports pavilion.

7.257 It was detailed that this was required "as the town continues to expand the pressure on services increases, 80 houses will attract a minimum of 160 -200 new residents into the town, we urgently need significant refurbishment or replacement of the existing sports pavilion which is used by numerous junior and the senior football teams as well as other organisations. We also need a modern community building to satisfy the increasing needs of the present population which has increased dramatically as a result of rapid residential development. Crowland has no dedicated suitable community building to cater for the needs of the population".

7.258 Whilst it has been stated that the pavilion is "urgently in need of significant refurbishment or replacement of the existing sports pavilion", and the case officers telephone discussion detailed that a quote had been obtained for both a new building and the refurbishment of the existing building, no formal consultation response has highlighted or demonstrated the current state, or need in this regard. Likewise, the quote for such works has not been provided.

7.259 In light of this, a request was made in writing for further information to be provided in this regard. To date, no response has been provided.

7.260 Policy 6 of the Local Plan makes reference to contributions towards "sports facilities, recreational open space and other green infrastructure" being "made in accordance with Local Plan Policy 32: Community, Health and Well-being". Policy 32 sets out standards for the provision of community infrastructure based on the number of additional persons a development generates.

7.261 Given that the replacement building proposed by the Parish Council would include facilities that could be used by the wider population in the settlement, not solely for a sporting purpose, it is considered that the building could be considered a combination of a 'village hall' and 'sports hall', which have standards of 1 village hall / 2,500 persons and 1 sports hall / 20,000 persons.

- 7.262 This has been set out within the applicants supporting information, provided in response of the Parish Council's financial request. Within this response, it was detailed that "Allison Homes believe that this request may not comply with the Community Infrastructure Levy, in that the amount requested isn't 'fairly and reasonably related in scale and kind to the development'".
- 7.263 This goes on to express that "The sports pavilion is assumed to be a combined facility of both a village hall and sports hall, so to provide a more accurate ratio, the pavilion would be provided at 1 per 11,250 people. This figure is taken from the sports hall and village hall provision, and dividing by 2. Overall, the population generated by this 80-unit development (192 people) is 1.7% as a percentage of the 11,250 people required to generate a pavilion-type building. Applying this request to the Parish requested contribution of £120,000 equates to £2,040".
- 7.264 In addition, the response provides reference to recent planning applications within Crowland, and the requests put forward in those instance. For example, the request from the Parish under H02-1006-21 & H02-0696-22. Within these, the "most recent request totalled £1,000,000 for a replacement building".
- 7.265 As such, beyond the aforementioned sum of £2,040, the supporting statement details that "Using this request as the total amount to deliver the pavilion, the 1.7% proportion equates to £17,000, which Allison Homes are content that this meets CIL regulations and can subsequently be included in the Section 106".
- 7.266 Given the basis of the response, and the Policy position identified, alongside the similar scenarios previously taken by the Local Planning Authority, it is considered that such a sum is appropriate and a contribution of £17,000 would meet CIL regulations, and as such, it is the sum of £17,000 hat has been put forward with regard to the contribution towards the Parish Council, within the draft Section 106.
- 7.267 *Highway Contributions*
- 7.268 It is also noted that beyond the above and travel plan request (with an updated Travel Plan being sought by condition), Lincolnshire County Council as Local Highway Authority had also sought further contributions within there latest formal consultation response. This sought:
- 7.269 -£60,000 - In the interests of promoting sustainable travel and to reduce the dependency on car travel, we request that a total contribution of £60,000 in order to maintain the current bus service Stagecoach 37 so that it can continue to serve close to the new development. This contribution is for 3 years at £20,000 per annum. The contribution should be paid in 3 instalments upon commencement of development and annually thereafter, to allow the contract to be extended.

-£22,000 - In the interests of promoting sustainable travel and to reduce the dependency on car travel, we request that the developer provides 1 bus pass voucher to the first occupiers of each new dwelling, which the occupier may redeem for free bus services for a period of 3 months. The maximum cost to the developer (based on the take up of the scheme and the current cost of the bus service) will be £22,000 based on £275 per voucher x 80 dwellings.

7.270 Further to this request, the applicant provided a supporting letter, outlining their assessment of such requests. Within this, the financial sums listed above were disputed. In light of this, further correspondence took place between the Local Highway Authority and the Local Planning Authority.

7.271 Within the latest correspondence received from the Local Highway Authority it was stated that: "With regards to the Bus pass contributions, I'd agree that passes are better delivered by the developer, and it absolves LCC of unnecessary admin. This will be a reduction of £22,000.00".

7.272 It has therefore been agreed by the Local Highway Authority that the sum of £22,000 is not required subject to condition, which has been recommended, forming part of the Travel Plan condition.

7.273 With regard to the remaining contribution sought, in the form of £60,000 to maintain the current bus service of Stagecoach 37, linking Peterborough with Spalding, the applicant set out that:

- "The service stops on Postland Road within 400m of the site and operates hourly Monday-Saturday, allowing residents access to sustainable transport to get both to and from Peterborough and Spalding from 6am-7pm".

- "The modal split of the site towards public transport users is 3.4% and will generate an additional 17 trips by public transport across a typical day".

- "As indicated in paragraph 8.4 of the Transport Assessment, it has been assessed that the existing infrastructure has the capacity to accommodate this increase in demand in road, bicycle and public transport users".

- "Given the number of bus services currently running per day, the additional 17 trips would be considered a negligible impact. It is also important to note that users will pay for this service, with the monies contributing to the operating and viability of that service".

7.274 In light of this, the applicants further detailed that "As the current service in Crowland is in line with the Spalding transport strategy, the £60,000 to maintain the current bus service is not fairly and reasonably related in scale and kind to the development and are not directly related to the development given that the service is already funded and in place and the frequency is suitable". This statement went on to conclude: "the £60,000 to maintain the current bus service does not comply with the CIL tests".

7.275 In this regard, the Local Planning Authority sought further evidence and justification from the Local Highway Authority, advising that based on the detail before us at this stage, the LPA are not satisfied that we would be in agreement to the requested sum. To date, no response has been provided.

7.276 In light of this, it is not considered that the sum of £60,000, for the reasons outlined, are justified or acceptable. The request does not substantiate its reasoning, given the model provided in respect of the likely increase in trips generate by the development. Most notably, the request does not set out the impact that the proposed development itself causes directly to this service, and the additional need for this sum as a result of the proposed development.

7.277 As such, the sum of £60,000 has not been sought through the Section 106 agreement.

7.278 Open Space and Play Equipment

7.279 Section 8 of the National Planning Policy Framework (December 2024), relating to 'Promoting healthy and safe communities', details that planning decisions should "aim to achieve healthy, inclusive and safe places which" amongst other matters "promote social interaction". Paragraph 103 of the National Planning Policy Framework (December 2024) goes on to state that "Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities".

7.280 In his regard, Policy 32 of the South East Lincolnshire Local Plan relates to 'Community, Health, and Well-being', and expresses that "Development shall contribute to: the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being". This policy goes on to detail that:

"Where a development will increase the need for community facilities (recreational open space, or other green infrastructure), it will not be permitted unless it (where necessary) supports the provision of new facilities, and/or the enhancement of existing facilities in accordance with Policy 5. In the case of sports facilities, recreational open space and other green infrastructure, provision will be required in accordance with the standards set out below".

7.281 These standards outline the following:

- Amenity Greenspace: 0.75ha per 1,000 additional persons

- Provision for children and young people: 0.10ha per 1,000 additional persons.

7.282 In this instance, the proposal identifies an area of open space, which is positively located centrally within the scheme. The provision not only offers a

contribution visually, but is supported by natural surveillance from the proposed residential development, providing a positive and well-designed feature within the development.

7.283 In addition, a specifically identified area for Local Equipped Area of Play is also identified. The provision is located centrally within the scheme, within the centralised open space, and is supported by pedestrian routes.

7.284 Details of this area of play and its management have not been submitted in full; however, conditions have been attached that requires the submission of this detail. This will require the area to comprise of an equipped area of play, which itself, alongside the areas of open space, will also be secured via Section 106 agreement. In addition, the maintenance details shall also be provided, with these being secured by an appropriately worded condition.

7.285 Overall, the provision of an equipped area of play, along with the open space provision being located centrally within the scheme is a positive design element of the proposal, allowing for natural surveillance and ensuring a useable and functional area of open space which can be a focal point to the development.

7.286 Subject to the submission of appropriate detail, the development would accord with Policy 32 of the South East Lincolnshire Local Plan (2019) and Section 8 of the National Planning Policy Framework (December 2024).

7.287 Furthermore, the above requests comply with Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 (as amended) and the Framework in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. In addition, the above planning obligations comply with the provisions of regulation 123 relating to the pooling of planning contributions.

7.288 **Additional Considerations**

7.289 Public Sector Equality Duty

7.290 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.

- 7.291 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.292 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.
- 7.293 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.
- 7.294 Human Rights
- 7.295 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).
- 7.296 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.
- 7.297 Planning Balance
- 7.298 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.
- 7.299 The application lies within the defined settlement boundaries of Crowland, a 'Main Service Centre'. Regardless of such, the site comprises an allocated

site, referenced as Cro050 within Policy 11 of the South East Lincolnshire Local Plan.

- 7.300 The development seeks permission for 80 dwellings within this allocated site, with the indicative site capacity stated as being 70 dwellings within Policy 11. Notwithstanding this increase, the proposal is considered to demonstrate that the site can accommodate the proposed quantum of development, with these 'capacities' being indicative. As such, the principle of residential development is therefore acceptable, and the detailed proposal and layout demonstrates the acceptability of the scheme in this regard.
- 7.301 Further to this, the proposal is not considered to give rise to significant or unacceptable adverse impacts that would warrant the refusal of planning permission in this case, when assessing the relevant material considerations that could weigh against the proposal. The proposal has been designed as to provide a positive scheme; with the layout incorporating an acceptable design, including a favourable centralised area of open space. The proposed dwellings are designed as to comprise adequate and acceptable separation distances, which exceed the separation distances typically required through best practice guidance. Furthermore, the development would deliver positive gains in terms of BNG provision which is afforded positive weight in the planning balance.
- 7.302 In this regard, when considering the benefits of the proposal in that the development seeks to provide an additional 80 dwellings within a site purposefully allocated for residential development, it is considered that the planning balance is in favour of the development, being a suitable, appropriately designed and sustainable development. In this regard the proposal would make a strong contribution to the supply and provision of housing in the District. This would include the provision of affordable housing making a positive contribution to an identified local need.
- 7.303 **Conclusion**
- 7.304 Taking into consideration the factors raised above, the proposal is considered to be in accordance with Policies 1 2, 3, 4, 6, 10, 11, 17, 18, 28, 30, 32 and 36 of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, in considering all the matters raised above, as expressed within the planning balance section, the planning balance is in favour of the proposal.

8.0 RECOMMENDATIONS

- 8.1 It is recommended that the application be approved, subject to the schedule of conditions outlined within section 9.0 of this report, and subject to the

completion of a Section 106 Agreement securing the necessary financial contributions and affordable housing provision set out within the report above.

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:

- P24-1403_DE_003_B_02- Location Plan
- P24-1403_DE_003_S_01 - Proposed Layout (Allocation Land)
- Figure D 3 - Pumping Station Layout
- P24-1403_DE_004_B_01 - Hartley - Plans & Elevations - Plots As 57, 58, 59, 60
- P24-1403_DE_004_B_01.1 - Hartley - Plans & Elevations - Plots As 32, 33, 64 & 65
- P24-1403_DE_004_B_02 - Loxley - Plans & Elevations - Plots As 9, 10, 14, 15, 17, 22, 23, 27, 28, 29, 30, 42, 43, 54, 55, 56, 68, 70, 72
- P24-1403_DE_004_B_04.3 - Oatley - Plans & Elevations - Plots As 76
- P24-1403_DE_004_B_05 - Totley - Plans & Elevations - Plots As 6, 7, 31, 50, 61 & 62
- P24-1403_DE_004_C_02.2 - Loxley - Plans & Elevations - Plots As 75
- P24-1403_DE_004_C_03 - Morley - Plans & Elevations - Plots As 1, 2, 3, 4, 11, 13, 24, 25, 35, 38, 39, 40, 41, 44, 45, 46, 47, 51, 63, 66, 67, 73, 74, 77, 78, 79 & 80
- P24-1403_DE_004_B_03.1 - Morley - Plans & Elevations - Plots As 12
- P24-1403_DE_004_B_03.2 - Morley - Plans & Elevations - Plots As 36, 37, 48 & 49
- P24-1403_DE_004_C_04.2 - Oatley - Plans & Elevations - Plots As 5 & 21
- P24-1403_DE_004_A_04.4 - Oatley - Plans & Elevations - Plots As 26
- P24-1403_DE_004_C_05.1 - Totley - Plans & Elevations - Plots As 18 & 19

- P24-1403_DE_004_C_02.1 - Loxley - Plans & Elevations - Plots As 52 & 69
- P24-1403_DE_004_B_04 - Oatley - Plans & Elevations - Plots As 16, 34, 53 & 71
- P24-1403_DE_004_C_04.1 - Oatley - Plans & Elevations - Plots As 8 & 20
- P24-1403_DE_003_D_04 - Boundary Treatments Plan
- P24-1403_DE_003 D - Refused Strategy Plan
- P24-1403_DE_003_D_05 - Parking Strategy
- 3686 - ADC - HGN - XX - DR - CH - 0104 S1 Rev P02 - Internal Swept Path Assessment
- JBA 24/482/01 Rev A - Detailed Landscape Proposals for Plots & Pos
- JBA 24/482/02 Rev A - Detailed Landscape Proposals for Plots & Pos
- JBA 24/482/03 Rev A - Detailed Landscape Proposals for Plots & Pos
- JBA 24/482/04 Rev A - Detailed Landscape Proposals for Plots & Pos
- P24-1403_DE_003A_08 - Hard Landscaping Plan
- JBA 24/482/06 - Ecological Enhancement Plan
- JBA 24/482/05 - Ecological Enhancement Plan
- JBA 24/482/07 - Ecological Enhancement Plan
- JBA 24/482/08 - Ecological Enhancement Plan
- GTC-E-SS-0012_R1-8_1_of_1 - Close Coupled Substation - Pyramid Roof Detail - General Arrangement
- 24 482 TPP TRP 01 Rev D - Tree Protection & Removals Plan
- 1279-00-03 Rev C - Drainage Strategy Layout
- 1279-00-05 Rev B - Levels Strategy Layout
- 1279-00-06 - Flood Mitigation Strategy
- P24-1403_DE_003_F_03 - Materials Plan

Alongside the following list of approved reports and supporting documents:

- Travel Plan by ADC Infrastructure, ref: ADC3686-RP-D, dated 04 July 2025
- Guide to the Management of Landscape and Ecological Areas, by James Blake Associates, ref: JBA 24 482 LMP 1, dated July 2025

- Biodiversity Net Gain Statement & Habitat Plan, by James Blake Associates ref: JBA 24/482 ECO03 JB, dated July 2025
- Energy & Sustainability Statement, by Allison Homes, dated August 2025
- Design & Access Statement, by Allison Homes, dated August 2025
- Phase 2 Ground Investigation, by BRD Environmental Ltd, Ref: BRD4519-OR2-A, dated December 2024
- Phase 2 Ground Investigation Appendix 1, by BRD Environmental Ltd, Ref: BRD4519- OR2-A, dated December 2024
- Phase 2 Ground Investigation Appendix 2, by BRD Environmental Ltd, Ref: BRD4519- OR2-A, dated December 2024
- Phase 2 Ground Investigation Appendix 3, by BRD Environmental Ltd, Ref: BRD4519- OR2-A, dated December 2024
- Arboricultural Impact Assessment, by James Blake Associates, ref: JBA 24/482 AR01 Rev B, dated July 2025
- Archaeological Desk-Based Assessment, by rps group, ref: 794-PLN-HER-01170 2.0, dated May 2025
- Archaeological Geophysical Survey, by AOC Archaeology Group, dated March 2025
- Planning Statement, by Boyer, dated August 2025
- Written Scheme of Investigation Evaluation Trenches, prepared by Prospect Archaeology Lrd, dated September 2025
- Phase 1 Geo-Environmental Desk Study, by BRD Environmental Ltd, Ref: BRD4519- OR1-A, dated December 2024
- Arboricultural Impact Assessment, by James Blake, Ref: JBA 24/482 AR01 Rev C, dated July 2025
- Arboricultural Method Statement, by James Blake, Ref: JBA 24/482 AR02 Rev C, dated August 2025
- Written Scheme of Investigation Evaluation Trenches, by prospect archaeology, dated September 2025 (revised October 2025)
- Transport Assessment, by ADC Infrastructure, dated November 2025
- Biodiversity Net Gain Statement, by James Blake, Ref: JBA 24/482 ECO04 Rev A JB, dated November 2025

- JBA 24/482 Revision F - Preliminary Ecological Appraisal, dated November 2025
- Ecological Enhancement Strategy, by James Blake, dated November 2025
- BNG Metric Calculation Tool
- Drainage & Levels Statement, by Infrastructure Design Ltd, ref: 1279/000/01 Rev B, dated November 2025
- Flood Risk Assessment, by amazi, ref: AMA980 Revision A, dated November 2025
- DC5140-NR1 - Noise Impact Assessment

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

3. The materials of the external surfaces (including but not limited to brickwork, finish, roof tiles and windows) of the development hereby permitted shall be carried out in accordance with the details outlined within the approved plans, with particular attention to drawing no. P24-1403_DE_003_F_03 - Materials Plan.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.

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

4. The development hereby permitted shall be carried out in accordance with the measures set out in the submitted Flood Risk Assessment (AMA980 Revision A - prepared by Amazi Consulting Ltd), forming part of this planning application.

In particular, the following measures shall be fully implemented before the property is first occupied:

- The dwellings shall have a minimum of two storeys.
- Finished floor levels shall be set no lower than 2.6 metres above Ordnance Datum.
- Flood resilience construction, including all doors and glazing to have frame to brickwork joints fully sealed and all electrical services to be run at ceiling level and drop down to service points, shall be to a minimum of 300mm above finished floor level.

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 Section 14 of the National Planning Policy Framework, December 2024.

5. The development hereby permitted shall be carried out in accordance with the finished site levels, including the estate road and associated footways, and finished floor levels as shown on drawing no. 1279-00-05 Rev B (Levels Strategy Layout) and the details set out within the Drainage & Levels Statement (1279/000/01 Rev B, dated November 2025, prepared by Infrastructure Design Ltd).

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding and to protect surrounding amenity.

This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and Section 14 of the National Planning Policy Framework, December 2024.

6. 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.

7. An equipped children's play area shall be provided within the site. Prior to the first occupation of any dwelling hereby permitted, a scheme detailing the timing of the implementation, location, detailed design, layout, specification of the equipment, and the management and maintenance regime of the play

area, shall be submitted to and approved in writing by the Local Planning Authority.

The play area shall be provided in accordance with the details so approved, and thereafter so maintained.

Reason: To ensure that adequate play provision is made for the occupiers of the development hereby permitted and that the facility is adequately managed and maintained.

This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

8. Prior to the commencement of any development beyond oversight, a plan illustrating all areas of publicly accessible open space, alongside a scheme identifying the specification, phasing and time of implementation of these areas, shall be submitted to and approved in writing by the Local Planning Authority.

A management plan for the areas of publicly accessible open space, including management responsibilities and maintenance schedules, shall also be submitted to and approved in writing by the Local Planning Authority.

The areas so approved shall be laid out and made available for use in accordance with these approved details, and shall thereafter be so maintained, and the management of these areas shall be carried out in accordance with the details so approved.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space.

This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

9. The scheme of soft landscaping and tree planting, as shown on dwg. no:
- JBA 24/482/01 Rev A - Detailed Landscape Proposals for Plots & Pos
 - JBA 24/482/02 Rev A - Detailed Landscape Proposals for Plots & Pos
 - JBA 24/482/03 Rev A - Detailed Landscape Proposals for Plots & Pos
 - JBA 24/482/04 Rev A - Detailed Landscape Proposals for Plots & Pos

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, or by those identified within Condition 8 of this permission, 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 in the first planting season following any such loss with a specimen of the same size and species as was approved under the above approved plans.

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.

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

10. The development hereby permitted shall be carried out in accordance with the scheme of hard landscaping as detailed within dwg. no P24-1403_DE_003_A_08, and the details so approved shall be implemented in accordance with a timetable to be submitted and agreed in writing by the Local Planning Authority, prior to the first occupation of the development hereby permitted and retained thereafter.

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.

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

11. Prior to the first occupation of any dwelling hereby permitted, details of the management and maintenance schedule for the areas of landscaping (soft and hard landscaping), refuse/recycling collection points and parking courts/private drives shall be submitted to and approved in writing by the Local Planning Authority.

These areas shall be maintained in accordance with the approved details thereafter.

Reason: To ensure that adequate provision is made for the management and maintenance of the those areas.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

12. Prior to the commencement of development hereby permitted, a surface water drainage scheme shall be submitted to and approved in writing by the Local

Planning Authority. The permitted development shall be undertaken in accordance with the details so approved.

The scheme shall:

- be based on verified groundwater levels and seasonal variations, as evidenced through on-site monitoring conducted over a six-month winter period in the planning period, a further 6 months will be required at Section 38 stage;
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to greenfield runoff rate;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling/no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development 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.

13. Before any development beyond oversight is commenced, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in broad accordance with the drainage strategy forming part of this permission (Report Ref: 1279/000/01 Rev B and Drawing No. 1279-00-03 Rev: C).

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 and to avoid pollution.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

14. Prior to the commencement of any development hereby permitted, a Construction Management Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include:

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material; and
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

The Construction Management Plan and Method Statement shall also indicate detail measures to minimise disturbance during the construction process through noise, dust, vibration and smoke.

The development hereby permitted shall thereafter be undertaken in accordance with the approved Construction Management Plan and Method Statement.

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; and in the interests of the amenity of local residents.

This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

15. During the construction period, no construction on site and no deliveries to the site, shall take place on Sundays or Bank Holidays, or outside of the following times:

- 07:30 to 18:30 on Mondays to Fridays; and 09:00 to 13:30 on Saturdays.

Reason: In the interests of the amenity of local residents.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

16. 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 Burghley Close and the junction with the B1166, widen the footway on Clout Drove from Victory Gardens to the B1166 to 2m) have been certified complete by the Local Planning Authority, by way of a discharge of conditions application.

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

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

17. Prior to the commencement of any development beyond oversight, an Estate Road Phasing and Completion Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

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

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

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

18. Notwithstanding the submitted details, prior to the first occupation the development hereby permitted, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be in broad accordance with ADC3686- RP-D Version 3 (prepared by ADC Infrastructure Limited), and shall include a welcome pack (including travel vouchers) and a timetable for implementation.

The Travel Plan must be implemented and adhered to in accordance with the timetable contained in the approved plan and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the 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 Policies 2, 3 and 33 of the South East Lincolnshire Local Plan, 2019, and Section 9 of the National Planning Policy Framework (December 2024).

19. No development shall take place until a written scheme of archaeological investigation 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:
- a. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).

- b. A methodology and timetable of site investigation and recording
- c. Provision for site analysis
- d. Provision for publication and dissemination of analysis and records
- e. Provision for archive deposition
- f. Nomination of a competent person/organisation to undertake the work
- g. 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.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation, 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.

20. 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 19 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.

21. A copy of the final report required in connection with Condition 19 above shall be submitted within two years of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. 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 of possible archaeological remains in accordance with national guidance contained in 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.

22. 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.

23. 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.

24. The development hereby permitted shall be carried out in accordance with the mitigation, recommendations and provisions contained in the following list of ecological reports and plans:

- JBA24 482 ECO01 Rev F - Preliminary Ecological Appraisal of Land at Clout Drove Crowland, dated November 2025, prepared by James Blake Associates Ltd
- JBA24-482_ECO06 - Clout Road_Ecological Enhancement Strategy, prepared by James Blake Associates Ltd
- Ecological Enhancement Strategy, dated November 2025, prepared by James Blake Associates Ltd
- JBA 24 482 05 - Ecological Enhancement Plan
- JBA 24 482 06 - Ecological Enhancement Plan
- JBA 24 482 07 - Ecological Enhancement Plan
- JBA 24 482 08 - Ecological Enhancement Plan

This includes the need for the installation of bat and bird boxes as shown within these approved plans and documents.

Should any protected species be identified, or matters arise that were not otherwise previously encountered through the Ecological Appraisal, works shall stop and a detailed mitigation strategy shall be submitted to and

approved in writing by the Local Planning Authority prior to works recommencing.

Reason: In the interests of the protection of local wildlife, protected species, and in the interests of its visual amenity and that of the area in which it is set.

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.

25. Prior to the commencement of any development hereby permitted, an ecological survey shall be carried out to determine the presence, or otherwise, of badgers upon the site, and the results of such a survey shall be submitted to the Local Planning Authority. If protected species are present, a working design, method and timetable to mitigate any harm to the species involved shall be submitted to and approved in writing before any works are carried out.

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

This Condition is imposed in accordance with Section 15 of the National Planning Policy Framework, December 2024.

26. In the event that contamination is found at any time when carrying out the development hereby approved that was not previously identified within the contamination reports submitted as part of this application, the development must stop and such findings 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 Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by the Local Planning Authority.

No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

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.

27. Prior to the first occupation of plots 32-35, 50 and 51 hereby permitted, the refuse and recycling storage areas as shown on dwg no. P24-1403_DE_003_S_01 and approved under this Decision Notice, shall be carried out and installed, shall thereafter be so maintained.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

28. Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The provision shall be installed in accordance with the details so approved and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.

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

29. Prior to the commencement of any development hereby permitted beyond oversite, details of the installation of fire hydrants shall be submitted and approved in writing by the Local Planning Authority.

The details shall include the number, location, capacity and timeframe, for implementation of fire hydrants, and shall be prepared in consultation with Lincs Fire and Rescue.

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

Reason: In the interests of the amenity and safety of local residents.

This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan 2019.

30. The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies.

Reason: To protect the quality and quantity of water resources available to the district. This Condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

Notes:

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>

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.

Highways

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.

All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. For guidance, please refer to: <https://www.lincolnshire.gov.uk>.

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.

For further guidance please visit: <https://www.lincolnshire.gov.uk/adoptingimproving-roads-footpath>.

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>.

The existing ground level of the site must not be raised above the ground level of any surrounding land without further consultation with the Lead Local Flood Authority and Local Planning Authority, to consider suitable mitigation measures to ensure that surface water flood risk is not created or increased to land adjacent to the permitted development.

The approved site layout drawing/s demonstrate a network of edge lanes and permeable vehicular links which are proposed for adoption as public highway. Please note that should you decide, post-permission, to keep these streets as privately owned and maintained then this will require material changes to the layout to accommodate turning space for refuse vehicles and bin collection points, as refuse vehicles will not enter private streets.

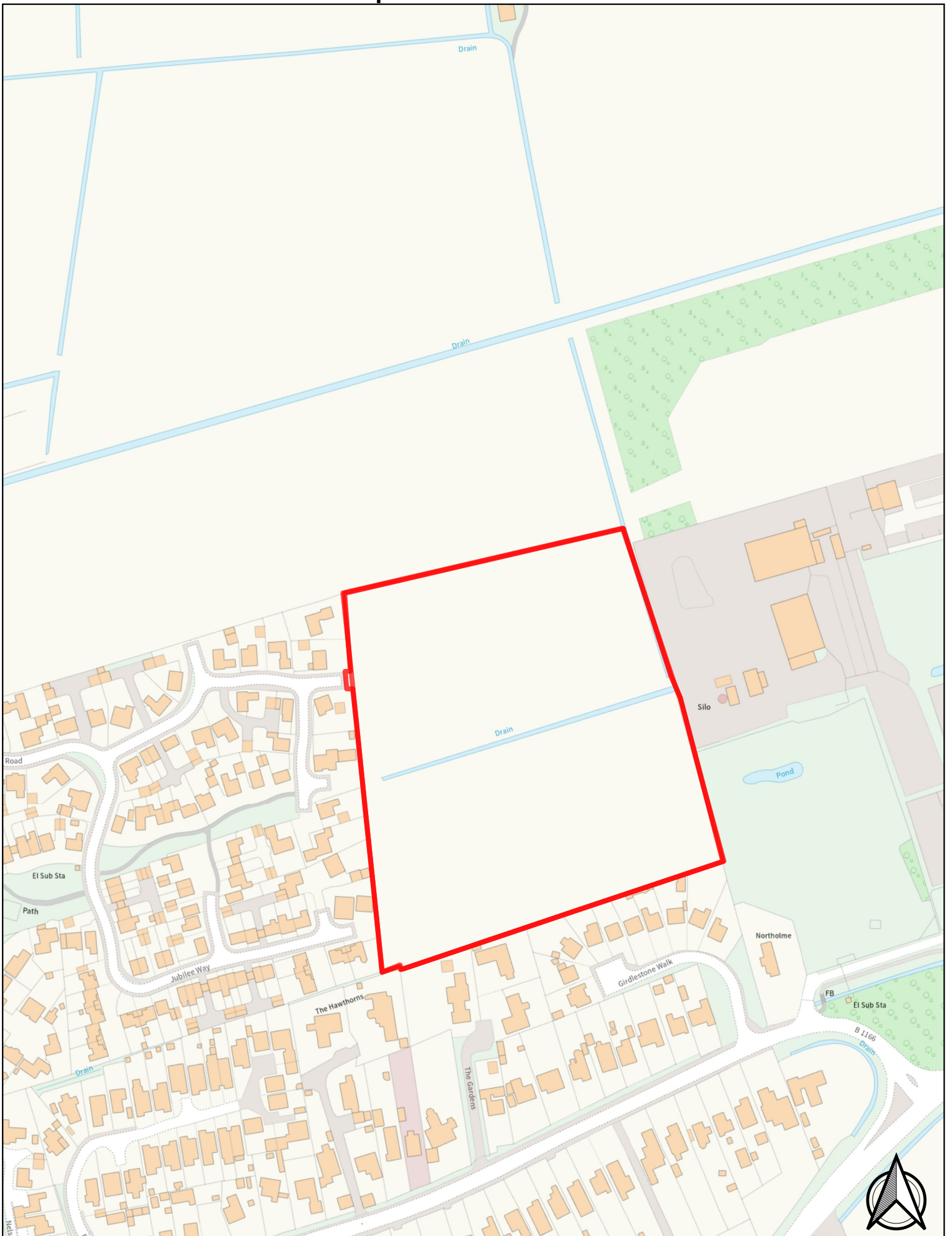
Background papers:- Planning

Application Working File **Lead Contact**

Officer

Name and Post: Planner (Interim) - BBC	Nick Atkinson, Lead Development Management & SHDC
Telephone Number:	
Email	nick.atkinson@sholland.gov.uk

Appendices attached to this report: Appendix A



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Agenda Item 9.

SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee - 29 April 2026

(Author: Oscar Patman - Planning Officer)

Purpose: To consider Planning Application H11-0056-26

Application Number: H11-0056-26

Date Received: 23 January 2026

Application Type: FULL

Description: Change of use from former gift & interiors shop to ground floor and hair & beauty salon on first floor to solicitors office to include alterations and insertion of rooflights

Location: 4 High Street Long Sutton Spalding

Applicant: Mossop & Bowser

Agent: PDG Architects Ltd

Ward: Long Sutton

Ward Councillors: Cllr A C Tennant
Cllr J Tyrrell
Cllr D J Wilkinson

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H11-0056-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Cllr Reynolds is an employee of Mossop and Bowser, who are the applicants.

2.0 PROPOSAL

2.1 This is a full application for the change of use of 4 High Street, Long Sutton from a ground floor shop with first floor beauty salon, to a solicitor's office (Use Class E). The following external alterations are also proposed:

- Removal of ground floor wooden door and replacement with window and low level brickwork to match host
- Removal of an existing flue
- Conservation area roof lights inserted into west and east elevations
- One additional window to replace timber door on south elevation
- One additional window and one replacement window within eastern elevation

2.2 All windows are to be timber, painted to match the existing.

2.3 A set of amended drawings, seeking to address the Conservation Officer's initial comments were received. These drawings provided details of the roof lights.

3.0 SITE DESCRIPTION

3.1 The site is within the town centre boundaries of Long Sutton, as outlined within the South East Lincolnshire Local Plan, 2019. The site is within the primary shopping area within the inset

maps.

- 3.2 The site is within the historic core of Long Sutton, within the Conservation Area, with the Grade II listed Lentons Butchers Shop & No.3 located to the immediate east, Grade II listed No. 15 and No.21 High Street to the north and the Churchyard of Church St. Mary and Church of St. Mary to the south, which are Grades II and I respectively.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

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.

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 4 - Approach to Flood Risk
Policy 24 - The Retail Hierarchy
Policy 29 - The Historic Environment
Policy 33 - Delivering a More Sustainable Transport Network
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

National Guidance

4.2 National Planning Policy Framework (NPPF), December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 7 - Ensuring the vitality of town centres
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

- 5.1 No relevant planning history

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 Historic Environment Officer

Thank you for consulting us on this. 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. Finally, as the proposal involves external alterations within the Long Sutton Conservation Area and lies in proximity to several Grade II listed buildings; namely Former Lenton's Butcher's Shop and No. 3 Market Place (List

Entry No. 1064561), The Antique Shop, 15 High Street (List Entry No. 1064555), 21 High Street (List Entry No. 1359222), Bowser Solicitors / Nationwide Building Society (List Entry No. 1064554), and Sutton House, 8 High Street (List Entry No. 1064556), the South Holland District Council Conservation Officer should be consulted prior to determination, given the potential for indirect impacts upon the significance and setting of these designated heritage assets

6.3 Environmental Protection

No comments.

6.4 Highway and Lead Local Flood Authority

The site is located in the town centre and is easily accessible by foot, cycling and public transport. 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.

6.5 Long Sutton Parish Council

Support - There are no objections or observations in relation to this application.

6.6 Conservation Officer

I write to confirm that I have no objections to this proposal. However, this is subject to several provisos and the possible need for further information prior to determination. I am satisfied with the basic principle of the proposal, and have no concerns with any aspect of the proposed scheme other than the proposed infilling of the inset coach door to the east side of the principal elevation.

6.7 It should be noted that the proposal site is in a central location within the Long Sutton Conservation Area. Moreover, the property is considered to be a non designated heritage asset (NDHA) because it is recorded as a 'building of local heritage' by the LPA. Because of this status, and the influence the property has upon the wider appreciation of the Conservation Area, it is important to ensure that any proposal is as sensitive as is practically possible.

6.8 I would therefore recommend that with reference to the proposed infill of the doors, detail should be provided showing that, in order to better replicate the appearance of the window situated immediately to its east, a matching chamfered brick cill will be used. Moreover, to ensure that the readability of the existing opening is retained, the brickwork and window should be inset and not flush with the existing wall. Should the application be approved, then I would recommend that a condition be applied requiring the detail of the proposed new window be submitted, and another requiring the frames to be painted black to match the existing fenestration on site.

6.9 Lastly, conditions should be applied ensuring that the brickwork matches the existing in terms of brick size and bond, and that the final brickwork on the frontage elevation be painted to match the existing finish on the facade, and to avoid any new brickwork appearing out of keeping with the remainder of the property. As a note, I would also recommend that for the avoidance of doubt, drawing no. 25037/PL04 should be amended to remove any references to 'timber panels' when the HIA seems to suggest that those panels would be windows. This vague wording could suggest a fully timber panel without glazing, in contrast with the HIA. Suffice to say, a solid timber panel situated on the front elevation would not be seen as acceptable.

6.10 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 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 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.

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

7.6 Principle of Development

7.7 *Spatial Strategy*

7.8 Policy 1 of the South East Lincolnshire Local Plan 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.

7.9 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.

7.10 The site is within the settlement of Long Sutton which is classed as main service centre within Policy 1. As such development will be permitted that supports Long Sutton's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

7.11 *The Retail Hierarchy*

7.12 As the site is within the Primary Shopping Area of Long Sutton, as defined within the relevant inset maps, Policy 24 of the South East Lincolnshire Local Plan is also relevant. Policy 24, Part B states:

"In the District Centre of Holbeach and the Local Centres of Crowland, Donington, Kirton, Long Sutton and Sutton Bridge, town centre uses will be permitted where they, on their own or cumulatively with other permitted development, will generate no significant harm upon the vitality and viability of that centre or any other centre within the hierarchy, particularly with regard to their role for food shopping"

7.13 Part A of Policy 24 outlines what may be considered as a "town centre use". These are described as: "retail, food and drink outlets, financial and professional services, leisure and tourist-related uses (Classes A1-A5, B1, D1 and D2) and residential development".

7.14 It should be noted that several of the Use Classes referred to within Policy 24 are now defunct under the changes within The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. As a result of this, Classes A1, A2, A3 and B1 have been superseded to become the more flexible Class E category. Several uses within the former classes of D1 and D2 would also now fall within Class E also. Nevertheless, the thrust of Policy

24, in that town centres should have appropriate uses which support the vitality and viability of that centre, remains wholly applicable.

- 7.15 As a result of the outdated Use Classes referenced in Policy 24, the definition of town centre use found within Appendix 1 of the National Planning Policy Framework (December 2024) may be more appropriate. This defines main town centre uses as:
"Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)."
- 7.16 *Ensuring the Vitality of Town Centres*
- 7.17 Section 7 of the National Planning Policy Framework (December 2024) "Ensuring the vitality of town centres" encourages appropriate development within town centres, applying a town centre first approach to the development of town centre uses (as defined in Annex 1 and referenced previously in this report). Paragraph 90 of the National Planning Policy Framework (December 2024) states:
"Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation"
- 7.18 Assessment
- 7.19 As outlined previously, the proposal would involve the use of a unit within the town centre of Long Sutton. The existing occupants of this unit, from the information provided, will be vacating the unit, and so the proposal, to a certain extent, can be construed as an opportunity to ensure the occupation of a potentially empty unit.
- 7.20 The existing use of the site falls within Use Class E of the Use Class Order 1987 (as amended). As a result of both uses falling within the same Use Class, then the use could be changed under the provisions of the General Permitted Development Order, 2015, without the need for further planning consent. This is a significant fall back position which, in effect, means that the principle of development ought to be acceptable regardless of the exact nuances of the proposed use.
- 7.21 In any event, the proposed change of use would still be consistent with the overarching strategy of the South East Lincolnshire Local Plan, retaining a town centre use within an appropriate location. The proposed use is clearly a town centre use, as per the definitions previously outlined, and would therefore be appropriate here.
- 7.22 As such the proposal is considered to be in accordance with Policies 1 and 24 of the South East Lincolnshire Local Plan; and would therefore be acceptable in principle.
- 7.23 Layout, Design, Scale and Consideration of the Character of the Area
- 7.24 Design Policy Context
- 7.25 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.
- 7.26 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.

- 7.27 Likewise, Policy 2 of the South East Lincolnshire Local Plan 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 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.
- 7.28 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.
- 7.29 *Heritage Policy Context*
- 7.30 The site lies within Long Sutton Conservation Area and lies within close proximity to a number of listed buildings and structures; including those listed within the site description section of this report.
- 7.31 In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.32 In assessing proposals of this nature, the Local Planning Authority must also ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.
- 7.33 The National Planning Policy Framework (December 2024) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
- 7.34 Section 16 of the National Planning Policy Framework (December 2024) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Paragraph 220 expands upon this, in relation to Conservation Areas, stating:
"Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole".

- 7.35 Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework (December

2024). Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets. Policy 29 is broken into five interrelated sections, with parts A, and B relevant here.

- 7.36 Policy 29A, relating to listed buildings, states: "Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."
- 7.37 Policy 29B, relating to conservation areas, states: "Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should:
1. Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
 2. Retain architectural details that contribute to the character and appearance of the area;
 3. Where relevant and practical, remove features which are incompatible with the Conservation Area;
 4. Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
 5. Assess, and mitigate against, any negative impact the proposal might have on the townscape, roovescape, skyline and landscape;"
- 7.38 To this end, all proposals in the Conservation Area or which affect listed buildings should preserve or enhance their settings.
- 7.39 As a non-designated heritage asset, Paragraph 216 of the Framework is also relevant. This states:
"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."
- 7.40 Assessment
- 7.41 The site occupies a prominent place within Long Sutton High Street. As a result, any changes to the facade would be highly prominent. This principal elevation is also visible from several locally and nationally listed properties. That being said, the alterations to the principal elevation are considered to be minor and would not significantly harm the appearance of the building. The creation of an additional window creates a more active frontage, positively contributing to the vitality of the High Street. No details of the window frames have been provided; however, this can be secured via condition should the application be approved.
- 7.42 The infilling of the coach doors would only have a minor detrimental impact to the building. Whilst the loss of the doors is regrettable, it would not result in a fundamental impact to the appearance of the building. The proportions and finer details of the opening are to be retained, maintaining the existing legibility of the building. Considering the practical benefits of the alteration, it is considered that the benefits outweigh the minor harm.
- 7.43 Turning to the alterations to the eastern and southern elevations, exclusive of the proposed roof lights, the changes are minor and would be largely obscured from the public realm. Existing boundary treatments between No. 4 and No.6 High Street would obscure most views from the public realm, thereby preventing significant harm to the character of the area or the Conservation Area. The alterations would face towards the Grade II listed Sutton House and Churchyard of Church St.Mary; however, existing boundary treatments have largely severed visibility between the site and these listed buildings. In any event, the changes are typical enough and of such minor scale as to prevent any harm to the setting of these buildings.
- 7.44 The proposed roof lights are not an uncommon feature within the Conservation Area. This typicality would help to naturalise the development, ensuring it would not appear incongruous. The frames and details provided are considered acceptable, being appropriate conservation style frames.

- 7.45 The Conservation Officer has raised no objections to the proposal. The concerns regarding the "timber screen" can be addressed via condition, to clarify that no such item would be installed as per the HIA. The conditions recommended by the Conservation Officer are considered appropriate here.
- 7.46 Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area, nor cause harm to the heritage assets, and would therefore be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan and Sections 12 and 16 of the National Planning Policy Framework (December 2024).
- 7.47 Impacts Upon Resident Amenity
- 7.48 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.
- 7.49 Policies 2 and 3 of South East Lincolnshire Local Plan sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 7.50 The change of use, in of itself, would have no amenity impact. The hours of opening (09:00 to 17:00 Monday to Friday) are typical High Street opening hours, and would have significant amenity impacts.
- 7.51 The additional windows would not overlook any residential dwellings. The roof lights would offer views solely of the airspace above residential and commercial units, thereby not harming amenity. Views from the ground floor windows would be of the public realm or obscured by existing boundary treatments.
- 7.52 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.
- 7.53 Highway Safety and Parking
- 7.54 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".
- 7.55 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.
- 7.56 Policy 36 of the South East Lincolnshire Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least one space per 30sqm of B1 (now class E offices) space. Whilst no parking is provided, the site is within the town centre, meaning customers and staff would be able to utilise public car parks or access the site via sustainable modes of transport. As such, the parking arrangements are considered acceptable.
- 7.57 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

7.58 Flooding Considerations

- 7.59 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".
- 7.60 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.
- 7.61 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)."
- 7.62 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"
- 7.63 The site lies within Flood Zone 2 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.
- 7.64 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 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.
- 7.65 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.
- 7.66 Within the SFRA the site is located outside of any identified hazard zone.
- 7.67 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". Footnote 62 clarifies that this "includes householder development, small non-residential extensions (with a footprint of less than 250sqm) and changes of use".

- 7.68 On the basis of Paragraph 176 and Footnote 62 of the National Planning Policy Framework (December 2024), there is no requirement to apply the sequential or exceptions test. In any event, the proposed use would be no more at risk than the existing use and would not increase the risk of flooding elsewhere.
- 7.69 Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, and the intentions of the National Planning Policy Framework (December 2024) with regards to flood risk.
- 7.70 Biodiversity Net Gain
- 7.71 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.
- 7.72 "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".
- 7.73 The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.
- 7.74 The effect of Paragraph 13 of Schedule 7A to 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.
- 7.75 The development would have no impact upon any habitat, being a change of use with no extensions, and would therefore be exempt from the need for biodiversity net gain under Regulation 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.
- 7.76 **Planning Balance**
- 7.77 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.
- 7.78 The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole.
- 7.79 **Additional Considerations**
- 7.80 Public Sector Equality Duty
- 7.81 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.

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

7.83 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.

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

7.85 Human Rights

7.86 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).

7.87 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.

7.88 **Conclusion**

7.89 Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 24, 29, 33 and 36 of the South East Lincolnshire Local Plan, as well as Sections 7, 9, 12, 14 and 16 of the National Planning Policy Framework (December 2024). There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

8.0 **RECOMMENDATIONS**

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

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:
- 25037/PL01 - Site Location Plan
 - 25037/PL02 - Existing & Proposed Block Plan
 - 25037/PL04A - Proposed Plans
 - CR_WRSF_LS_A - Lead Soakers `Between the Rafter` Installation Detail
 - CR_WRSF_LS_B - Flush Slate Installation Details
 - Planning Supporting Statement, dated 20th January 2026, prepared by Mossop and Bowser
 - Heritage Impact Assessment, dated January 2026, prepared PDG Architects Ltd
 - Flood Risk Statement, dated December 2025, prepared PDG Architects Ltd
 - BNG Exemption Statement, dated January 2026, prepared PDG Architects Ltd

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

3. Prior to the commencement of any external works hereby permitted, a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a sample of brick(s), mortar mix and method of bonding, as well as details of the final finished paint colour.

The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2024.

4. Notwithstanding the text shown in drawing ref. 25037/PL04A, no external timber screen shall be installed within the principal elevation of the building.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2024.

5. Prior to the commencement of any external works hereby permitted, details of the window detailing (including cills and extent of inset) and frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), cill and lintol detailing, and means of opening.

The windows and frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2024.

6. All new window frames, and glazing bars shall be of timber construction, painted black and thereafter so maintained.

Reason: In the interests of the architectural composition and appearance of the development and the character and visual amenity of this part of the Conservation Area in which it is set. This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2024.

7. The use hereby permitted shall not be open to customers except between the hours of 9:00 and 17:00 Monday to Friday, excluding bank holidays.

Reason: In the interests of the amenity of local residents.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

8. 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>

9. 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.

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>.

Based on the information available and submitted in support of this application, the Local Planning Authority considers that the development hereby permitted is exempt and therefore will not require the approval of a biodiversity gain plan, prior to the commencement of development; with the development comprising a statutory exemption as listed below: -

- The proposal would conform to Regulation 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

As such, the development hereby permitted will not 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

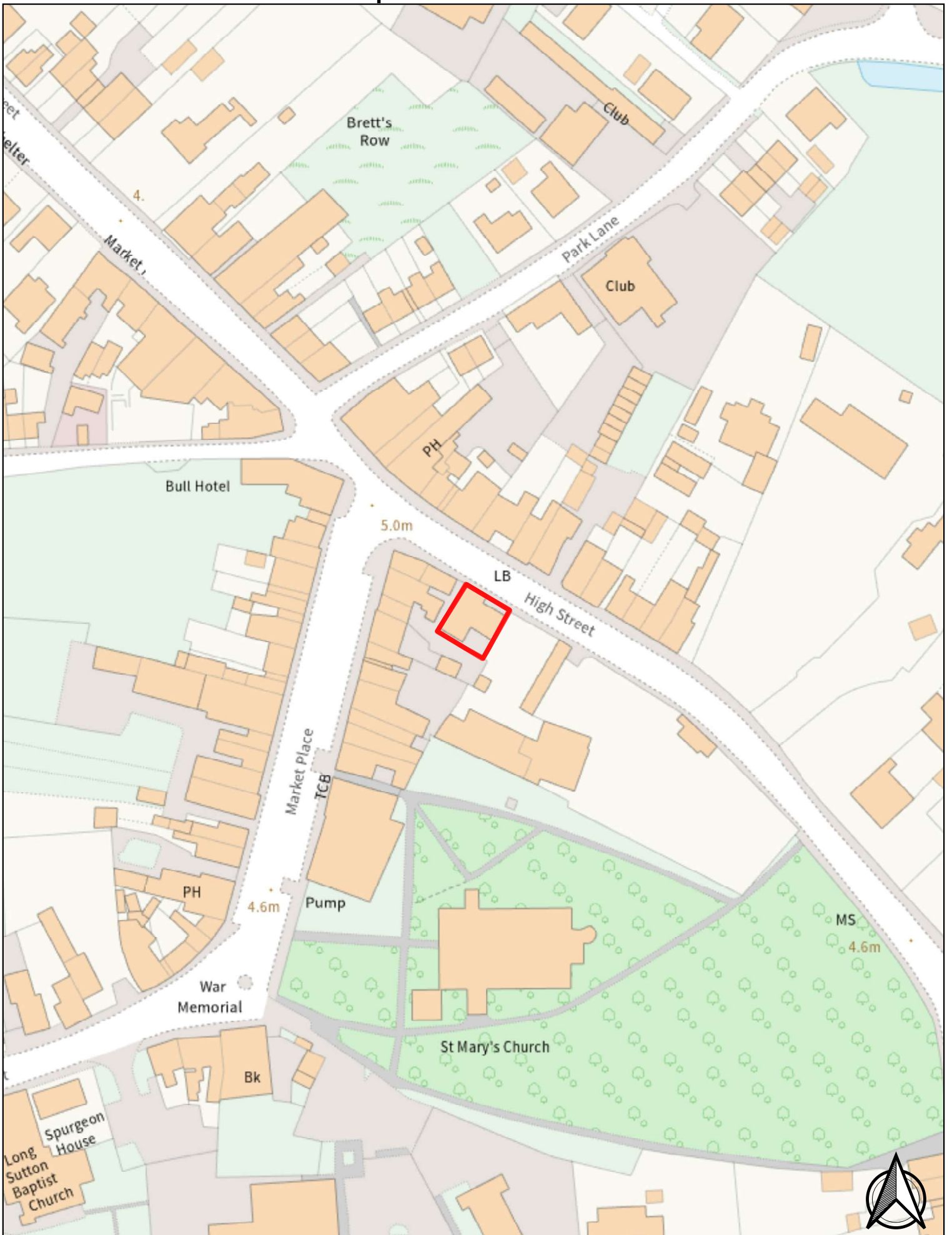
Name and Post: Nick Atkinson , Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:

Email nick.atkinson@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A



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: 6
Appeals Allowed: 3
Appeals Part Allowed: 0
Appeals Invalid: 1

Since the 1st April 2017 284 planning appeal decisions have been received of which 212 have been dismissed, which equates to a success rate of 74.65%.

PLANNING APPEALS DISMISSED

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
1329 Brownmoor Developments (Long Sutton) Ltd H11-0120-24 APP/A2525/W/25/3372173	Land off Little London Long Sutton Spalding Lincolnshire	Mark Niland	DISMISSED	12 Mar 2026
1340 Merkur Slots (UK) Ltd H16-0841-25 6001983	MERKUR SLOTS 32 - 33 HALL PLACE SPALDING	Jennifer Chance	DISMISSED	12 Mar 2026
1341 Mr M Rumble H09-0473-25 6002149	The Poplars Chapel Drove Holbeach Drove Spalding	Jacob Bryan	DISMISSED	13 Mar 2026
1337 Mr & Mrs Smith H13-0261-25 6001518	Land off Fen Gate Moulton Chapel Spalding Lincolnshire	Oscar Patman	DISMISSED	18 Mar 2026
1344 Mr H Brown	Rear of The Chestnuts Reservoir Road	Mark Niland	DISMISSED	26 Mar 2026

H17-0485-25 6003658	Surfleet Spalding			
1348 Mr A Wright H05-0861-25 6004469	Adjacent to 14 Cross Street Fleet Spalding Lincolnshire	Jacob Bryan	DISMISSED	01 Apr 2026

PLANNING APPEALS ALLOWED

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
1334 Mr & Mrs P Ingleby H16-0332-25 6001125	14 Halmer Paddock Spalding Lincolnshire	Oscar Patman	ALLOWED	02 Mar 2026
1342 Mr & Mrs D Scase H16-0887-25 6003204	20 Cley Hall Drive Spalding	Oscar Patman	ALLOWED	11 Mar 2026
1343 Loosegate Developments Ltd H09-0796-25 6003284	Land East of Forest Way Holbeach Spalding Lincolnshire	Jess Hill	ALLOWED	13 Mar 2026

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

Nick Atkinson, Development Manager (Interim) for Boston Borough Council & South Holland District Council
nick.atkinson@sholland.gov.uk

PLANNING APPEALS INVALID

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
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1339 Mrs & Miss K & J Fathers & Hallifax H21-0878-25 6001967	Rectory Farm Rectory Road Tydd St Mary Spalding	Jess Hill	Not entertained	16 Mar 2026
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