

AGENDA



- Committee - **PLANNING COMMITTEE**
- Date & Time - Wednesday, 24 June 2026 at 6.30 pm
- Venue - Council Chamber, Council Offices, Priory Road, Spalding

Membership of the Planning Committee:

Councillors: B Alcock, J Avery (Chairman), P Barnes, A C Beal (Vice-Chairman), H J W Bingham, C J T H Brewis, A Casson, S Hutchinson, P A Redgate, 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: 16 June 2026

AGENDA

1. Apologies for absence.
2. Minutes - (Pages 5 - 12)
To sign as a correct record the minutes of the meeting held on 29 April 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. H09-0721-25 - (Pages 13 - 60)
Full application for development of 57 Affordable Dwellings with associated access, open space and drainage at Land South of Wignals Gate, Holbeach, Spalding (report of the Development Manager enclosed).
6. H16-0086-26 - (Pages 61 - 74)
Full application for Change of use from Class F1 (Church) to E(f) Day Nursery at 10 Haverfield Road, Spalding (report of the Development Manager enclosed).
7. H11-0227-26 - (Pages 75 - 88)
S73A Continuation application for Change of use of part of existing garden centre (Class E) to use Classes E, F1 & F2 – Retrospective – approved under H11-1210-25. Modification of Condition 2 to amend opening hours and days and modification of Condition 3 relating to garden centre buildings at Silverwood Garden Centre, St James Road, Sutton Crosses (report of the Development Manager enclosed).
8. H09-0302-26 - (Pages 89 - 104)
Full application for demolition of existing domestic bungalow and garages and erection of tractor storage shed for use to maintain Holbeach Parish Council Park and surrounding areas of Holbeach at Park Bungalow, Park Road, Holbeach (report of the Development Manager enclosed).
9. H16-0327-26 - (Pages 105 - 114)
Advertisement application for Proposed Information Board relating to Cattle Sculptures at Pavement Adj. 5 New Road, Spalding (report of the Development Manager enclosed).
10. H16-0328-26 - (Pages 115 - 124)
Advertisement application for Proposed Information Board relating to Sheep Sculptures at Pavement Adj. 1 Sheep Market, Spalding (report of the Development Manager enclosed).

11. Briefing Note on Anglian Water Protocols - (Pages
To provide members with an overview of the implications of water
infrastructure issues on planning decisions (report of the Assistant
Director – Planning and Strategic Infrastructure). 125 -
134)
12. Planning Appeals - (Pages
To provide an update on recent appeal decisions (report of the
Development Manager enclosed). 135 -
136)
13. Planning Updates.
14. 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.

This page is intentionally left blank

Minutes of a meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Wednesday, 29 April 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
T Sneath
A C Tennant

J Tyrrell
A R Woolf

In Attendance: Service Director – Planning and Strategic Infrastructure, Group Manager – Planning and Development, Development Manager (Interim), Planning Consultant, Senior Planning Lawyer and Democratic Services Officer

61. **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 were received from Councillor S Hutchinson.

62. **MINUTES**

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

AGREED:

That the minutes be signed as a correct record.

63. **DECLARATION OF INTERESTS.**

There were none.

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

There were none.

65. **H22-0245-26**

Planning No. and Applicant
H22-0245-26 National Grid

Proposal
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.

PLANNING COMMITTEE - 29 April 2026

Consideration was given to the report of the Development Manager which outlined the recommended response of the Council to the Secretary of State.

Members debated the matter fully, with the following comments being raised:

- Members expressed widespread concern regarding the prematurity of the application, noting that no planning application for the proposed Weston Marsh substation had yet been submitted to, or considered by, the Planning Committee. It was felt that commenting favourably on related infrastructure ahead of the main development could risk undermining the Committee's ability to properly consider any future planning application on its merits.
- Reference was made to objections submitted by Weston Parish Council and a significant number of local residents. Particular concern was raised regarding the absence of an Environmental Impact Assessment and the potential for significant environmental effects.
- Members also highlighted the proposed use of best and most versatile (Grade 1) agricultural land, with concern expressed about the cumulative loss of high-quality farmland when considered alongside the wider Weston Marsh proposals.
- Concerns were raised regarding highways and access, particularly the suitability of Stonegate and surrounding narrow rural roads to accommodate prolonged construction traffic.
- Members also discussed the likely duration of construction works and the potential impact on local residents, farms, and tourism businesses.
- Several Members commented that the proposal formed part of a much wider infrastructure programme and that its impacts could not reasonably be assessed in isolation.
- Disappointment was expressed that the submission contained no reference to local employment, training opportunities, community benefit, or compensation for affected landowners and residents.
- Members debated the wording of the draft consultation response, with strong objection to the phrase indicating that the District Council had "no objections". It was felt this did not accurately reflect the strength of concern expressed by the Committee or the wider community.
- It was suggested that officers could present the final wording of the consultation response to the Chairman's Panel, with the Portfolio Holder and Ward Members included, to approve the response.

AGREED:

That the full consultation response, including all suggestions made by the Planning Committee, be submitted to the Chairman's Panel for approval prior to the completion of Form B and its subsequent return to the applicant.

(Moved by Councillor Woolf, Seconded by Councillor Brewis)

66. **H22-0246-26**

Planning No. and Applicant

Proposal

PLANNING COMMITTEE - 29 April 2026

H22-0246-26 National Grid

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

This item was discussed in conjunction with the previous agenda item.

AGREED:

That the full consultation response, including all suggestions made by the Planning Committee, be submitted to the Chairman's Panel for approval prior to the completion of Form B and its subsequent return to the applicant.

(Moved by Councillor Woolf, Seconded by Councillor Brewis)

67. **H09-1109-25**

Planning No. and Applicant

H09-1109-25 Mr L Gray

Proposal

Full application for use of site as Gypsy Traveller Plot on Storage Yard – Retrospective at Ravens Gate, Holbeach St Johns, Spalding

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

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

- Members expressed significant concern regarding highway safety, particularly along Ravens Gate and the wider road network towards Saturday Bridge. Reference was made to the history of serious accidents in the area and to concerns raised by Members and the public about vehicle speeds, absence of footways, and lack of public transport provision.
 - Officers confirmed that Lincolnshire County Council Highways had raised no objection to the proposal, having assessed accident data and predicted trip generation. It was explained that the purpose of a planning application was not to resolve existing highway problems, but to ensure that the development would not result in severe highway harm. Members were advised that speed limits and Traffic Regulation Orders could not be imposed through planning conditions, but that concerns could be formally passed to the Highway Authority.
- Members queried compliance with local plan policy for Gypsy/Traveller accommodation, in particular criteria relating to accessibility to services, schools, and public transport.
 - Officers acknowledged some conflict with Policy 20, criterion G but advised that, when considered in the planning balance, the proposal

PLANNING COMMITTEE - 29 April 2026

- was acceptable given that the overarching spatial strategy allows Gypsy and Traveller accommodation in countryside locations.
- Officers also confirmed that the Council currently does not meet its identified Gypsy and Traveller pitch need.
- Clarification was sought on the restriction on commercial activity and whether business registration would be permitted.
 - Officers advised that residential use would be acceptable, but any business activity involving visits, deliveries, or material change of use would require planning permission.
- Members queried whether the site could be expanded to include more pitches in the future.
 - Officers confirmed that any extension or additional pitches would require a new planning application, and that approval of the current proposal would not bind the Council in respect of future applications.
- Clarification was sought on the definition of a gypsy/traveller.
 - Officers confirmed that the definition was set out in national planning policy.
- Members discussed the size and use of the proposed day room, with concerns raised about its potential future use as a separate dwelling.
 - Officers advised that day rooms are a common feature of permanent traveller sites and that any use as a separate residential unit would constitute a breach of planning control and be subject to enforcement action.
- Members emphasised the importance of achieving a high-quality landscaping and boundary scheme to ensure the development integrated appropriately into the rural landscape and did not appear as a visually intrusive compound.
 - Officers confirmed that amended conditions would require details of landscaping and boundary treatments to be submitted and approved prior to occupation, with provisions for replacement planting where necessary.

Councillor Brewis requested that his vote against the application to be recorded in the minutes.

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

AGREED:

That the application be approved for the reasons set out at section 9.0 of the report, with amendments being made to the following conditions:

- Condition 3 - restricting the occupation to those who meet the definition of gypsies, and travellers set out in national policy.
- Condition 7 – amended to require the submission and approval of a landscaping scheme and a scheme of boundary treatments to be agreed prior to occupation.

PLANNING COMMITTEE - 29 April 2026

- Condition 2 – wording to be added to tie the planning permission to a named person.

(Moved by Councillor Bingham, Seconded by Councillor Woolf)

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: Mrs D Ellis (Resident)

68. **H02-0759-25**

Planning No. and Applicant

H02-0759-25 Allison Homes Ltd

Proposal

Full application for development for 80 dwellings with access, landscape, drainage, open space and associated infrastructure at Land East of Normanton Road, Crowland.

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:

- Members queried whether internal roads would be adopted by the Highway Authority, noting that refuse collection vehicles cannot access private roads.
 - Officers advised that the majority of roads would be constructed to adoptable standards, and it was anticipated that Lincolnshire County Council would adopt them, subject to meeting required specifications. It was acknowledged that a small number of private driveways would remain, with occupiers expected to present wheelie bins at the edge of the adoptable highway.
- Concerns were raised regarding the transition to wheelie bins, bin storage, carrying distances, and the suitability of the refuse strategy in light of the Council's newly adopted waste policy.
 - Officers confirmed that a refuse strategy had been submitted with the application, including bin storage arrangements and collection distances, and advised that this was acceptable from a planning perspective.
- Members expressed concern about foul water disposal, noting that an earlier objection from Anglian Water had been withdrawn.
 - Officers explained that Anglian Water had reassessed capacity within the wastewater network and confirmed sufficient headroom existed to accommodate the development. Foul water was proposed to connect to the existing system on Normanton Road.
 - Officers also advised that the relevant statutory consultees, including the Lead Local Flood Authority, Internal Drainage Board and

PLANNING COMMITTEE - 29 April 2026

Environment Agency, had raised no objection in principle. Further detailed drainage schemes would be secured by condition and would require formal approval prior to development commencing.

- Members expressed concern that the need to raise land levels indicated the site was unsuitable for development, particularly in the context of future climate change.
 - Officers advised that raising site levels was a standard mitigation approach in high flood risk areas across the district.
 - Officers further explained that level changes had been carefully designed, with the smallest increases at site boundaries, additional separation distances, landscaped buffers and wildlife corridors to mitigate visual and amenity impacts. It was advised that, while the development would be visible, officers did not consider the increase in height to result in unacceptable harm through overlooking, loss of light or overbearing impact.
- Members noted that the site was allocated in the adopted Local Plan and queried whether development exceedance elsewhere in Crowland affected its status.
 - Officers confirmed that allocation remained valid, and that the principle of residential development was established. Refusal on the basis that the site allocation had been exceeded elsewhere would be unlikely to be defensible at appeal.
- Members queried why a sequential test had not been carried out for this site.
 - It was confirmed that no sequential test was required as the site formed part of the Local Plan allocations.
- Members raised concerns regarding construction traffic, dust, noise and the suitability of routing works vehicles through existing residential streets.
 - Officers advised that a Construction Management Plan would be required by condition, detailing routes, dust suppression, traffic management and hours of operation. It was indicated that the preferred construction access route was via adjacent land to the north rather than through the estate.
- Suggestions were made regarding permanent alternative access through adjacent land
 - Officers advised this fell outside the application red line boundary and was not before the Committee.
- Some Members considered the scheme to be typical estate housing but acknowledged it reflected comparable developments elsewhere in the district.
 - Officers confirmed that separation distances, landscaping, wildlife corridors and boundary treatments had been designed to mitigate impacts on neighbouring dwellings.
- Requests were made for strong landscaping and long-term management of the wildlife corridor.
 - Officers proposed securing a management plan for the wildlife buffer through additional conditions.
- Members queried when Section 106 contributions would be paid.
 - Officers advised that trigger points would be set within the legal agreement, typically at a 50% occupation thresholds.

PLANNING COMMITTEE - 29 April 2026

Councillor Brewis requested that his vote against the application to be recorded in the minutes.

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

AGREED:

That the application be approved for the reasons set out at section 9.0 of the report, including the addition of a condition relating to a management plan for the wildlife corridor (should this not already be covered in existing conditions), 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.

(Moved by Councillor Bingham, Seconded by Councillor Tennant)

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: George Wilkinson (Allison Homes) (Applicant)

Objector: John Russell (Resident)

69. **H11-0056-26**

Planning No. and Applicant

H11-0056-26 Mossop & Bowser

Proposal

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.

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

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

- The description for the application was confusing and should be amended to clarify that both floors were being converted into a solicitors office.

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

AGREED:

PLANNING COMMITTEE - 29 April 2026

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

(Moved by Councillor Tyrrell, Seconded by Councillor Bingham)

70. **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.

71. **PLANNING UPDATES.**

There were none.

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

There were none.

(The meeting ended at 9.30 pm)

(End of minutes)

SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee – 24 June 2026

(Author: Dan Allen - Principal Planning Officer)

Purpose: To consider Planning Application H09-0721-25

Application Number: H09-0721-25

Date Received: 24 July 2025

Application Type: FULL

Description: Development of 57 Affordable Dwellings with associated access, open space and drainage.

Location: Land South of Wignals Gate Holbeach Spalding

Applicant: D Brown (Building Contractors) **Agent:** rg+p Ltd.

Ward: Holbeach Town **Ward Councillors:** Cllr S E Hutchinson
Cllr T Carter
Cllr N J Chapman

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-0721-25>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application has been subject to a notable extent of representation and given the considerations that the scheme raises, it is the officer's opinion that the proposal requires Planning Committee consideration.

2.0 PROPOSAL

2.1 This application seeks full planning permission for residential development on land off Wignals Gate, Holbeach. The proposal seeks permission for the erection of 57 dwellings, with associated access and open space.

2.2 The development predominately proposes two storey dwellings (55 dwellings), with two single storey bungalows (plots 25 and 26). The proposal comprises an entirely affordable housing scheme.

2.3 Specifically, the scheme proposes an entirely affordable housing scheme; comprising the following housing:
- 8x one bedroom dwellings;
- 28x two bedroom dwellings (26x two storey, and 2x bungalows);
- 19x three bedroom dwellings; and
- 2x four bedroom dwellings.

2.4 The application site comprises an area of approximately 1.65ha, with the proposed residential development of 57 dwellings resulting in a gross density of 34.5 dwellings per hectare (dph).

2.5 The proposed dwellings are located along the main access road and private drives, with public open space and a dedicated area of play located towards the entrance of the site. The access to the site would be gained via a single point of access to the south of Wignals Gate. This main access road will run southernly, with a spur road connecting to the west, before turning to, and running east. The main access route through the site is proposed to comprise an adopted highway, with private access roads serving plots 12-16, 17-21, 25-30 and 37-40.

2.6 During the application process, additional information and amendments have been received, Consultation was undertaken following the amended information.

3.0 SITE DESCRIPTION

3.1 The application site lies to the south of Wignals Gate, in the settlement of Holbeach and comprises agricultural land. Holbeach is identified as a 'Main Service Centre' within Policy 1 of the South East Lincolnshire Local Plan.

3.2 The site comprises part of a 'Reserve Site', as allocation Hob011 - Land to the south of Wignals Gate, as detailed within Policy 12 of the South East Lincolnshire Local Plan. Policy 12 identifies the site as comprising an area of 3.48 hectares, when considering the entirety of the reserve site, and has a notional site capacity of 70 dwellings.

3.3 The application site is located within Flood Zone 3 of the Environment Agency's Flood Maps, but lies within an area of no hazard classification within the present day or 2115 scenario in the Strategic Flood Risk Assessment maps, with expected flood depths.

3.4 To the north east and north west, the site is neighboured by existing residential properties that front onto Wignals Gate. Further modern residential development lies directly to the east, with properties fronting onto Spinney Close being those within closest proximity. These eastern neighbouring properties within Spinney Close, which are accessed via Forest Way, are predominately single storey bungalows.

3.5 To the west lies agricultural land, with the immediate land forming the remainder of the reserve site. Further agricultural land lies to the south.

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

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 12 - Reserve Sites
Policy 17 - Providing a Mix of Housing
Policy 18 - Affordable Housing
Policy 19 - Rural Exception Sites
Policy 28 - The Natural 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

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

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 5 - Delivering a sufficient supply of homes
Section 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

4.5 **Planning Practice Guidance (PPG)**

5.0 **RELEVANT PLANNING HISTORY**

5.1 The application site, comprising the land outlined in red within the submitted site location plan, has not been subject to any direct planning history; although the site is allocated as a Reserve Site under Policy 12 of the South East Lincolnshire Local Plan (2019).

6.0 **REPRESENTATIONS**

6.1 This application has been advertised in the local press and a site notice was displayed on land adjacent to 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 exercise, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

6.3 **Initial Responses Received (unless otherwise provided revised comments) (Consultation period between 08th August 2025 - 16th February 2026)**

6.4 Lincolnshire Police

Lincolnshire Police do not have any objections to this application.

6.5 Lincolnshire Fire & Rescue

Request that fire hydrants are installed at the developer's cost, comprising a number and location as to be agreed, in accordance with the requirements set out within the response; otherwise we would object to this development.

6.6 Environment Agency

The proposed site is in Flood Zone 3a as shown on the Flood Map for Planning. However, as identified in the submitted flood risk assessment (FRA), the site falls outside of the fluvial and tidal hazard extents, as shown in Appendix A of the South East Lincolnshire Strategic Flood Risk Assessment. We therefore have no objection to this application and support the recommendation of the FRA to incorporate flood mitigation measures into the development.

6.7 Internal Drainage Board

The site is within the Internal Drainage District (IDD) of the South Holland Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning,

the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents.

The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime.

As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application. The Board will only consider the proposals in detail on receipt of an application for Land Drainage Consent. The annexe at the end of this letter outlines the Board's regulatory function and how to apply for Land Drainage Consent.

6.8 Housing Strategy

The property types that have been proposed do not reflect the current affordable housing need within Holbeach.

This application proposes that all of the 57 units are to be delivered as affordable housing providing 8x 1 bed/2 person maisonettes, 2x 2 bed/ 3 person bungalows, 26x 2 bed/3 person houses, 19x 3 bed/ 5 person houses and 2x 4 bed/6 person houses. There is no indication within the application regarding the tenure split of these properties, but on an all affordable site we would generally expect the split to be 70% rented and 30% intermediate housing.

To help meet the identified need within Holbeach a suggested mix for each tenure would be 12x 1bed/2 person, 15x2 bed/4 person (including the proposed bungalows if deemed suitable), 10x 3bed/5 person and 3x 4 bed/6 person units for affordable rent and 8x 2bed/3 person and 9x 3 bed/5 person units for Shared Ownership.

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.

If planning permission were to be granted the applicant should 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 can provide a list of RPs with stock in the local area should the applicant require this.

To summarise, if the Local Planning Authority find the development were to be appropriate for this site, the Local Housing Authority would only support the application once the number, size and mix of affordable housing are discussed and agreed with ourselves and the details are then set out in a S106 agreement with the standard affordable housing requirements relating to letting, sales and perpetuity.

6.9 Housing Strategy - Updated Response

Please see an updated response to this full planning application for affordable housing. We would be grateful if the previous Housing Strategy response could be withdrawn as we now understand that most of the 2-bedroom properties are 2 bed 4 person.

There is a high need for affordable housing in Holbeach and this scheme would help meet some of that need.

This application proposes that all the 57 homes are delivered as affordable housing providing 8x 1 bed/2 person maisonettes, 2x 2 bed/ 3 person bungalows, 26x 2 bed/4 person houses, 19x 3 bed/ 5 person houses and 2x 4 bed/6 person houses. Although there is no indication within the application regarding the tenure split of the properties, we understand that the developer is in discussions with a Registered Provider and a high percentage of the homes will be delivered as affordable or social rent alongside some shared ownership properties.

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.

To summarise, the Local Housing Authority is happy to support this proposed development to help meet the need for affordable housing. If approved the details should be set out in a S106 agreement with the standard affordable housing requirements relating to letting, sales and perpetuity in accordance with Homes England and the Councils requirements.

6.10 NHS Lincolnshire

The above development is proposing 57 dwellings which, based on the average of 2.4 people per dwelling for the South Holland District Council area, would result in an increase in patient population of 137.

Therefore, an increase in population of 137 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.

Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.

The development will impact Holbeach Medical Centre and Littlebury Medical Centre as the development is within their catchment area.

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 57 dwellings on Land South of Wignals Gate, Holbeach to contribute to the expansion in capacity through remodeling/changes to layout or extension to existing facilities within the South Lincolnshire Rural Primary Care Network (PCN) at Holbeach Medical Centre and/or Littlebury 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.

The contribution requested for the development is £52,141.32 (£914.76 x 57 dwellings). Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.

6.11 Natural England

No Objection: Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

6.12 Environmental Protection - Contamination

Request a standard land contamination condition be applied at this location.

6.13 Environmental Protection - Noise & Odour

Provide a construction management plan prior to commencement, including details of working hours, waste disposal arrangements, noise and vibration control and dust control measures.

6.14 Lincolnshire County Council - Education

As the development would result in a direct impact on local schools, a contribution is therefore requested to mitigate the impact of the development at local level. This is a recognisable and legitimate means of addressing an impact on infrastructure, accords with the NPPF (2019) and fully complies with CIL regulations; we feel it is necessary, directly related, and fairly and reasonably related in scale and kind to the development proposed in this application.

The level of contribution sought in this case is £522,651.06.

We would suggest 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.

6.15 Lincolnshire County Council - Highways/SuDs

Additional Information required.

6.16 Local Ward Member - Cllr Hutchinson

While I acknowledge the need for affordable housing in our district, I have significant concerns regarding the appropriateness of this site's release, the proposed housing mix, amenity impacts, and the overall design and integration of the scheme with its surroundings.

1. Reserve Site Policy - Policy 12 of the South East Lincolnshire Local Plan

This site is designated as a reserve site, and Policy 12 clearly states that such sites should only be brought forward if allocated sites fail to deliver housing at the expected rate, as expressed in the Housing Trajectory. The decision to release reserve sites must be made by the Local Planning Authority based on clear evidence.

Request for clarification: Has the trigger point for releasing reserve sites been met? The latest Housing Land Supply Assessment (June 2025) indicates a 5.5-year supply, and the Council has scored 162% on the Housing Delivery Test over the last three years, suggesting no significant under-delivery. Therefore, I question whether the release of this reserve site is necessary or justified at this time.

2. Housing Mix and Community Sustainability

While the provision of affordable housing is welcome, the proposal consists entirely of affordable units, with no mix of tenure or ownership types. This is not conducive to creating a diverse, balanced, and sustainable community.

A mono-tenure development risks social segregation and does not reflect the principles of mixed communities promoted in national and local policy.

A more integrated mix of affordable and market housing would better support long-term sustainability and community cohesion.

3. Amenity Concerns - Overlooking and Privacy

There are serious concerns regarding the separation distances between proposed plots (2, 3, and 4) and No. 57 Wignals Gate, a 1-storey dwelling with dormer windows facing the development.

The rear-to-rear separation distance is approximately 16 metres, which is insufficient to maintain adequate privacy between primary habitable rooms at first-floor level.

This falls short of accepted design standards and will result in loss of residential amenity for existing occupants.

4. Design and Edge-of-Settlement Character

The site lies on the southern edge of Holbeach, transitioning into open countryside. Wignals Gate is characterised by linear development, generous plots, and landscaping that softens the urban edge.

The proposed layout, with large expanses of close-boarded fencing, hard tarmac surfaces, and abrupt street endings, fails to respect the rural character and does not provide a natural transition to the countryside.

The central open space, while intended to offer countryside views, instead creates a blank vista dominated by a substation, which detracts from the visual quality.

The design lacks a clear street hierarchy, and the grouping of multiple parking spaces with minimal landscaping results in a hard suburban feel, inappropriate for this location.

5. Future Expansion Concerns

The layout includes roads that terminate abruptly, raising concerns about potential future expansion. If this is anticipated, a comprehensive masterplan should be provided now to ensure coordinated development and infrastructure planning.

6.17 SELCP Ecologist - BNG Ecologist

Advise that all mitigation and enhancement recommendations provided in the PEA are supported. Have requested two further water vole surveys to be completed on site pre commencement and request that provision for other bird species, and bats (minimum of 30 integral bat boxes / roost units), are required to improve the biodiversity outcomes of the site and mitigate the loss of habitat post development.

BNG Comments: The biodiversity assessment and metric calculations appear rigorous, and we can have confidence in their conclusions. In this case the metric indicates that 10% mandatory net gain cannot be achieved on-site, and therefore the proposals require 1.09 area-habitat units off-site. These will need to be secured pre-commencement and can be achieved via 2 routes: 1. Bespoke habitat creation/enhancement could be undertaken by the applicants on land they own elsewhere or in agreement with another landowner. 2. The applicants could purchase the appropriate number of units from an off-site habitat bank and evidence this to the authority pre-commencement.

Conclusion: There has been sufficient evidence provided to determine this application, as long as the mandatory 10% net gain is achieved through securing offsite units pre-commencement.

6.18 Local MP - Sir John Hayes

I have been contacted by a number of constituents regarding the above planning application for 57 affordable dwellings on land South of Wignal's Gate, Holbeach.

I share my constituents concerns about the over development of this site. In particular, neighbouring residents have drawn my attention to their loss of amenity and privacy, with some properties situated only 3 metres from their boundary.

Wignals Gate can be a busy road at peak times with visibility restricted to the east of Maple Grove, so particular attention needs to be given to safe accessing and exiting this development. In addition, the proposal will lead to a significant increase in traffic movements.

My constituents have also reported that the site regularly floods so further development will exacerbate this problem.

I would, therefore, be grateful if you could treat my letter as a formal objection to this proposal.

6.19 Local MP - Sir John Hayes - Second Letter

Further to my formal objection letter of September 12th 2025, I am writing with additional concerns which have recently been brought to my attention.

In particular, I am concerned that the land chosen for this development should not be developed at all given it is designated in the South East Lincolnshire Local Plan as a reserve site. As you'll know, Policy 12 of the Local Plan makes clear that reserve sites should only be allocated for development in the event that previously allocated sites have not developed sufficient housing, effectively stating that they should only be considered when all other options have been exhausted. Given South Holland District Council recently scored 162% of its Housing Delivery Test over recent years, meaning that housing delivery has exceeded targets, this seems to be a very peculiar decision, if indeed one has been made.

I have not seen evidence to support the release of a reserve site in respect of the land south of Wignals Gate and so would welcome clarification as to why a reserve site such as this has been put forward and to see the supporting evidence for such a decision. Given the Local Plan makes clear that the local planning authority must explicitly make such a decision based on clear evidence, this seems to be a crucial point in respect of whether the proposal should proceed at all.

Secondly, it appears that the developer has changed their plans in respect of the mixture of affordable and social rented homes since the original application was submitted. The original application included no shared or rented properties, but the new plans include both. Clearly, this would be a materially different application from the one submitted, and so I would expect that a fresh application would be needed altogether. I would be grateful for your comments on this also.

I would be grateful if you could treat this letter alongside my letter of September 12th, as a formal objection to these plans.

6.20 **Responses Received following re-consultation (Consultation period between 17th February 2026 - Present)**

6.21 Lincolnshire Police

Lincolnshire Police do not have any objections to this amendment.

6.22 Lincolnshire County Council - Education

LCC Education has no additional comments on this consultation in relation to education, as any impacts have been mitigated at the outline stage response, which was sent on 13 August 2025, and we can see no changes to the scheduled dwelling mix that would alter or initial response.

6.23 Historic Places Team

No objections subject to conditions to securing Written Schemes of Investigation (evaluation/mitigation strategy).

6.24 Lincolnshire Wildlife Trust

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.

6.25 Environmental Protection - Contamination

No comments regarding amendment 1. My previous comment remains the same and I ask for a standard land contamination condition be applied at this location.

6.26 Environment Agency

We have no further comments to make on the amended plans and refer you to our previous letter dated 20 August 2025 for our position on this application.

6.27 Internal Drainage Board

The site is within the Internal Drainage District (IDD) of the South Holland Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents.

The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime.

As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application. The Board will only consider the proposals in detail on receipt of an application for Land Drainage Consent. The annexe at the end of this letter outlines the Board's regulatory function and how to apply for Land Drainage Consent.

6.28 Anglian Water - 15 May 2026

Comments received to advise of no objections subject to conditions, following additional detail and discussion further to an initial objection.

Section 1 - Assets Affected: There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that an informative note be included within any notice, should permission be granted.

Section 2 - Wastewater Treatment: Based on the above assessment, Holbeach WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.

Section 3 - Used Water Network: The sewerage network at present has available capacity for the anticipated foul flows.

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.

The proposed surface water strategy is acceptable to Anglian Water, subject to a condition relating to surface water and Informatives.

6.29 Lincolnshire County Council - Highways/SuDs

No objections subject to:

- (a) Planning Conditions and Informatives
- (b) S106 contributions and Highway improvements.

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.

The response also sets out planning conditions, which have been requested by the Local Highway Authority and Lead Local Flood Authority, in addition to a request for financial contributions to maintain the current bus service Stagecoach 505 and a request for the developer to provide 1x bus pass voucher to the first occupiers of each new dwelling, in the interests of promoting sustainable travel and to reduce the dependency on car travel, alongside a request for highway improvements to include a connecting footway around the junction complete with tactile crossing, removal of BT pole, relocation of sign and kerbing/drainage to the frontage.

6.30 CP Viability (Independent Viability Experts)

On this basis, I am content to accept the applicant's position that the scheme, strictly on the basis of 100% affordable housing, is unable to viably support any S106 contributions.

6.31 **Public Representation**

6.32 This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. Formal notification letters were issued to a variety of addresses surrounding the application site, and a site notice was displayed at the site.

6.33 In this instance, 49 letters of objection have been received in total, with this figure including residents who have commented multiple times and provided duplicate letters of representation.

6.34 36 letters of representation were received following the initial consultation, which commenced on 08th August 2025. A further 13 letters, to equate to the quantum of 49 letters, have been received following the re-consultation which took place on 17th February 2026.

6.35 It is also worth noting that correspondence has taken place with a variety of interested parties, including those who have made representation, which have not been calculated within the quantum of letters stated; however, the content has been reflected within the following summary and has been taken into account during the assessment of this application.

6.36 Comments received during initial consultation period - 08th August 2025

6.37 During the initial consultation (from 08th August 2025 to 16th February 2026), a total of 36 letters of representation were received.

6.38 These can be summarised as:

- The application site is a Reserve Site and should not come forward.
- The 'trigger point' for releasing reserve sites has not been met.
- Contrary to local and national policy, specifically Policy 12 of the SELLP.
- The lack of affordable housing is specific to South Holland and not Holbeach.
- The proposal offers no economic, social or environmental benefits.
- Impact upon residential amenities.
- Lack of adequate separation distance to neighbouring properties.
- Overlooking to properties on Spinney Close and Wignals Gate.
- Inadequate or unacceptable boundary treatments.
- Security concerns to existing neighbouring residents.
- Visual impact caused to the area.
- Highway safety, including both vehicular and foot movements.
- Excessive speed of vehicles along Wignals Gate.
- Access is unacceptable opposite Maple Grove.
- Volume of traffic generally.
- Volume of traffic as a result of recent development along Wignals Gate.
- Parking concerns along Wignals Gate.
- Flooding and flood risk.
- Drainage concerns.
- Safety of a drainage pond.
- Loss of prime agricultural land.
- Lack of infrastructure and services to support the development, specifically doctors, dentists, schools and road infrastructure.
- Concerns regarding the tenure type of the proposed housing, and the entire site not offering a mix of market and affordable properties.
- Residential development 'typically includes affordable housing mixed with market housing'.
- Wignals Gate has already seen additional housing.
- Negative impact on biodiversity, ecology and wildlife.
- Landscaping concerns and a lack of compliance with historic landscaping conditions.
- Concerns regarding archaeological assessments.
- Viability concerns, and accuracy of the viability appraisals (both the applicants submission and independent assessor).
- There are alternative sites more suitable for housing development, including brownfield, non-agricultural sites and alternative settlements, sufficient to build on.
- Single storey properties would be better suited.
- Further development may come forward, as the proposal does not cover the entirety of the reserve site.
- Impact from 'electromagnetic emissions from the high tension power line'.
- Potential damage caused to properties.
- Detrimental impact on property value and saleability.
- Loss of a view.
- Queries have also been raised regarding the meaning and value of reserve sites.
- Comments that all new builds should have solar panels on roofs.

6.39 Comments received following the re-consultation period, following amendments - 17th February 2026

6.40 During the consultation period following the receipt of amended information (17th February 2026 to present), a further 13 letters of objection were received.

6.41 These can be summarised as:

- The application site is a Reserve Site and should not come forward.
- The 'trigger point' for releasing reserve sites has not been met.
- Contrary to policy.
- Impact upon residential amenities.
- Lack of adequate separation distance to neighbouring properties.
- Inadequate or unacceptable boundary treatments.
- Highway safety.
- Access is unacceptable opposite Maple Grove.
- Volume of traffic generally.
- Volume of traffic as a result of recent development along Wignals Gate.
- Flooding and flood risk.
- Drainage concerns.

- Safety of a drainage pond.
- Loss of prime agricultural land.
- Concerns regarding the tenure type of the proposed housing, and the entire site not offering a mix of market and affordable properties.
- Wignals Gate has already seen additional housing.
- Concerns regarding archaeological assessments.
- Viability concerns, and accuracy of the viability appraisals (both the applicants submission and independent assessor).
- There are brown field sites sufficient to build on.
- Impact from 'electromagnetic emissions from the high tension power line'.
- Potential damage caused to properties.
- No issue with the planning, but seek high speed internet.

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 Consideration of Reserve Site Policy
 - 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
 - Biodiversity and Ecology
 - Archaeology
 - Developer Contributions and Viability

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.

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.

7.7 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.

7.8 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. In addition, the council have scored at least 162% for the Housing Delivery Test over the last three years.

7.9 Principle of Development and Sustainability

7.10 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.

- 7.11 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.
- 7.12 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.
- 7.13 Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) identifies Holbeach, the settlement subject to this application, as being a Main Service Centre. Policy 1 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".
- 7.14 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".
- 7.15 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".
- 7.16 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.
- 7.17 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:
- 7.18 "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".
- 7.19 This development will be delivered, in part, through a series of site allocations across the district.
- 7.20 Typically, the principle of residential development within the defined settlement boundaries of Main Service Centres are considered to be acceptable and viewed as an appropriate form of development for such a location, when considered in its broadest terms, in accordance with the overall principles of the spatial strategy. The application site in this instance is within Holbeach, a 'Main Service Centre', and lies within the defined settlement boundaries as detailed by Policy 1. Notwithstanding this, this is by virtue of its Reserve Site allocation, which is a significant consideration in this case. It is considered that the settlement boundary was drawn at the point where the character changed from 'developed', to 'undeveloped'. With this in mind, it is understood that allocations were situated inside the settlement boundary, as once they were built, that scenario would be true for the boundary line (in terms of the developed area being located within). In this context, to exclude Reserve Sites from the settlement would appear at odds with the general approach to include allocations inside boundaries.

7.21 Reserve Site - Hob011

- 7.22 In this instance, the application site comprises a Reserve Site, as set out under Policy 12 of the South East Lincolnshire Local Plan (2019), identified as Hob011.
- 7.23 Hob011 relates to a site comprising an area of 3.48ha, with a nominal site capacity of 70 dwellings. The application in this case comprises part of this wider site, forming 1.65ha of land. 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, or comprising a density beyond this, so long as the development complies with the overall requirements of the Local Plan.
- 7.24 Policy 12 of the South East Lincolnshire Local Plan provides a list of 13 Reserve Sites, as identified within the associated Policies Inset Maps. As detailed within Policy 12, Reserve Sites "are sites that will be brought forward for development in the event that the allocated sites do not deliver housing development at the expected rate as expressed in the Housing Trajectory (Appendix 4: Expected housing completions)".
- 7.25 The supporting text to this policy provides further clarity on the reasoning for such a policy, detailing that "the need to identify an alternative range of reserve sites for residential development is necessary to ensure that the strategy in the Local Plan provides sufficient flexibility in the event that development on allocated and existing commitments stalls".
- 7.26 With regard to the mechanism to release such sites, Policy 12 is clear in that "The trigger for releasing Reserve Sites will be determined by the application of the Housing Delivery Test set out in National Policy and Guidance". As such, the decision to release a reserved site will be made where "it has been determined from the Housing Delivery Test that it is necessary to release reserve sites". This is further clarified within paragraph 5.4.2 of the South East Lincolnshire local Plan, which sets out the 'Reasoned Justification' for this Policy, stating that "The SELLP identifies 13 Reserve Sites that are intended to be brought forward for development if the delivery of allocated sites and other housing commitments fails to meet the threshold of delivery set out in the Housing Delivery Test defined by Government policy". In these instances, all Reserve Sites as listed within the appropriate Local Planning Authority will be considered for release.
- 7.27 In this regard, the aforementioned position shall be reiterated. According to South Holland District Council's (SHDC) 5-Year Housing Land Supply Assessment (5YHLS) (June 2025), SHDC can demonstrate a supply of deliverable sites equivalent to in excess of 5 years, equating to 5.5 years. Furthermore, SHDC have scored at least 162% for the Housing Delivery Test over the last three years (Paragraph 1.4 of the 5YHLS Assessment). In accordance with Paragraph 232 of the NPPF, it is not necessary to apply the tilted balance in favour of sustainable development in the determination of the current application.
- 7.28 Furthermore, given Policy 12 of the South East Lincolnshire Local Plan states that "*The trigger for releasing Reserve Sites will be determined by the application of the Housing Delivery Test set out in National Policy and Guidance*", in this regard, the trigger point for the release of the reserve site, as set out within Policy 12, has not been met.
- 7.29 From the information submitted in support of this application, neither of these matters are being directly challenged at this time by the applicant or applicants agent. In this regard, the requirements of Policy 12 and the release of the reserve sites is also discussed within the applicants supporting statement (Planning Statement - July 2025), acknowledging this position by detailing within para 7.6: that "*South Holland District Council can demonstrate a 5-year housing land supply*" and also detailing that "*Reserve sites are brought forward for development in the event that the allocated sites do not deliver housing development at the expected rate as expressed in the Housing Trajectory*".

- 7.30 Therefore, when considering the requirements for the release of the Reserve Sites in isolation from all other matters, in respect of the trigger point as set out within Policy 12, the Local Planning Authority can conclude that the trigger point for the release of the reserve sites has not been met.
- 7.31 Affordable Housing
- 7.32 The application in this instance has been submitted as an entirely affordable housing scheme, seeking full planning permission for 57 affordable properties.
- 7.33 As such, as set out within the applicants supporting statement, the proposal has been put forward in respect of a shortfall of Affordable Housing within the District and, in the opinion of the applicants, as set out within para 7.28 of their Planning Statement, *"very significant weight must be attributed to the delivery of affordable housing in the overall planning balance"*. This is a matter upon which officers are in agreement with the applicant, given the significant social and economic benefits that this would deliver to the District.
- 7.34 Policy 17 of the SELLP relates to the housing mix, and sets out that "providing a mix of property types is not only important in meeting housing needs but is also important in delivering sustainable development for the community". This policy details that the "provision of new houses will seek to meet the long term needs of the Plan area in order to maintain and provide mixed, inclusive and sustainable communities. Family homes of two or three bedrooms are in highest demand for both the market and affordable housing sectors and one bedroom homes are also required to meet affordable needs".
- 7.35 Given the affordable nature of the proposal, Policy 18 (Affordable Housing) of the SELLP is of notable importance. Policy 18 sets out that "In South East Lincolnshire the following need for affordable housing has been identified:
- A. In Boston Borough about 263 new affordable dwellings per annum, equating to over 80% of the overall annual housing need; and
- B. In South Holland about 282 new affordable dwellings per annum, equating to about 60% of the overall annual housing need".
- 7.36 Policy 18 goes on to provide three clear routes in which the Local Planning Authority would seek provision of affordable housing:
1. Proposals for market housing sites of 11 or more dwellings, which will require a 25% affordable housing provision.
 2. Sites proposed by developers specifically for affordable housing; and
 3. Rural Exceptions Sites.
- 7.37 This demonstrates that whilst the provision for affordable housing would be, in part, sought via proposals for market housing (seeking a 25% requirement) and via rural exception sites, the SELLP also seeks 'Sites proposed by developers specifically for affordable housing', in order to provide an adequate provision of affordable properties.
- 7.38 Notwithstanding this, whilst the scheme has been put forward as a 57 dwelling scheme, the reserve site in its entirety has a nominal site capacity of 70 dwellings, given its larger area. When utilising this figure, the South East Lincolnshire Local Plan comprises four allocations that have a larger estimated figure than the 280 units required to facility the same extent of affordable dwellings that this site (when viewed in its entirety) could deliver (70 dwellings); a matter that is of importance in this regard. It is worth noting that one of these sites lies within Holbeach, the settlement subject to this proposal.
- 7.39 However, as outlined above, individual sites proposed by developers specifically for affordable housing, are also a requirement within the SELLP.
- 7.40 The applicants submission expresses that *"The Council have fundamentally undelivered on their affordable housing need, save for 2021/22 when they over-delivered by 5 dwellings, which is made clear in both the most recent AMR (at 31st March 2024) and their Housing Land Supply Position Statement (June 2025). The AMR sets out that there was an over-delivery of overall*

housing (paragraph 1.21) by over 168 dwellings. However, this still continues to under-deliver of the required affordable homes, with 195 completed against the policy requirement of 282".

- 7.41 Beyond this, the Housing Land Supply Position Statement, as published in June 2025, outlines *the most recent affordable housing delivery for the 2024/25 monitoring period, with 157 delivered, a 40 dwelling reduction from the year before and a 125 dwelling shortfall against the requirement set out in Policy LP18.*
- 7.42 The applicants statement concludes this matter by detailing that *Based on the Council's failure to deliver on their own affordable housing requirement in 13 of their 14 monitoring periods of the current Local Plan has left a residual shortfall of 2,451 affordable homes.*
- 7.43 During the application process, consultation has been undertaken with Housing Strategy (Internal Consultee for Affordable Housing). These comments, most recently, highlight that *"There is a high need for affordable housing in Holbeach and this scheme would help meet some of that need"* and concluded support for the proposal, stating that the proposal helps meet the need for affordable housing. It is important to the note that this is an identified housing need for the locality.
- 7.44 More specifically, as also addressed within the applicants 'Affordable Housing Statement', information was obtained from the Council's Housing Strategy team, in March 2026, which confirms the current level of demand for affordable housing with a preferred location in Holbeach. These comment set out the following demand:
- 1 Bed - 717
 - 2 Bed - 156
 - 3 Bed - 80
 - 4 Bed - 49
 - 5 Bed - 24
 - 6+ Bed - 13
 - Total - 1039
- 7.45 In this case, the proposal seeks to provide 57 dwellings, all of which are to be affordable housing. This provides a significant contribution to the identified affordable housing need for Holbeach. In addition, the proposal seeks to provide:
- 8x one bedroom dwellings;
 - 28x two bedroom dwellings (26x two storey, and 2x bungalows);
 - 19x three bedroom dwellings; and
 - 2x four bedroom dwellings.
- 7.46 As such, the proposal seeks to offer a suitable mix of housing, of which all are affordable, that directly contributes to the identified demand within the settlement.
- 7.47 This provision of affordable housing forms a material consideration and an important aspect of the proposal. In light of the detail outlined above and the nature of the proposal, the provision of the affordable housing, particularly given the identified need, demand and mix of housing proposed, would be given significant weight within the planning balance.
- 7.48 Principle Conclusion
- 7.49 The proposal lies on land allocated as a Reserve Site and, as set out above, when considering the requirements for the release of the Reserve Sites the Local Planning Authority can conclude that the trigger point for the release of the reserve sites has not been met.
- 7.50 Notwithstanding this, in broad terms, the sites allocation as a Reserve Site identifies its suitability, in principle, for residential development. In addition to this, as also set out above and as supported by the Council's Housing Strategy team, the District and Holbeach specifically, are underperforming in the delivery of affordable housing. Whilst the delivery of this provision can be provided through the implementation of market led schemes, including allocations, the SELLP is clear in that development proposal specifically for affordable housing development also contribute, and are supported, under Policy 18 of the SELLP.

- 7.51 The affordable nature of the scheme holds significant weight within the planning balance and as such, a balanced decision must be reached.
- 7.52 When considering the development together with the requirements of local and national policy, it is considered that the affordable housing provision offered, coupled with the acceptability of residential development within the site more broadly; albeit being contrary to the requirements of Policy 12 (Reserve Sites) in that the trigger point for their release has not been met, gives rise to notable social and economic benefits for the District which must be attributed significant weight in this instance.
- 7.53 As such, it is considered that whilst the proposal would be at conflict with Policy 12 in that the release of the reserve site has not been met at this time, this is a technical conflict. Beyond this, the proposal would accord with policies 1, 10, 11, 17 and 18 of the South East Lincolnshire Local Plan in all other regards, and the relevant sections of the National Planning Policy Framework (December 2024). Furthermore, the additional social and economic benefits associated with the scheme, which significantly exceed the minimum requirements of the Local Plan, are a material consideration which weighs positively and favorably in the determination of this application.
- 7.54 Whilst being on balance, it is considered that the proposal is acceptable in principle.
- 7.55 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.
- 7.56 Layout, Design and Consideration of the Character and Appearance of the Area
- 7.57 The proposed development comprises the erection of 57 affordable dwellings, on a site located off Wignals Gate, Holbeach. The proposed development is entirely residential in nature and seeks to develop a site that is currently undeveloped and utilised as agricultural land.
- 7.58 The proposal, given that it would clearly introduce built form, would evidently give rise to 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 that the site is a Reserve Site for residential development. In any case, in this regard, it is the officers view that the site is within a broadly built up residential area, with residential dwellings fronting Wignals Gate and modern residential development immediately neighbouring the application site. As such, the proposed development and resultant use, would not be at odds with the prevailing context and uses, and would somewhat accord with the surrounding built environment, within the context of which the site would be viewed generally.
- 7.59 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, in its broadest terms, has already been considered and established through the Reserve Site allocation within Policy 12 of the Local Plan. As such, whilst the loss of an agricultural field is unfortunate, this is an acceptable and already established loss in the event that Reserve Sites are in need of release.
- 7.60 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.
- 7.61 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.

- 7.62 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.
- 7.63 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.
- 7.64 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.
- 7.65 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.
- 7.66 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. However, the extent of any harm caused by this loss 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 due to the 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.
- 7.67 The broad acceptability in regards to the impact upon the character and appearance of the area is further considered given the immediate context of the site. The application site forms only part of the overall Reserve Site, with the land immediately to the west, albeit agricultural in use at present, forming the remainder of this Reserve Site. Although it is noted that the land to the south is, and is likely to remain, agricultural in nature, the land immediately to the east has been subject to recent residential development. As such, the proposed development of housing, in this broad context, would not appear out of character or significantly visually harmful.
- 7.68 The application site is not located within a landscape of any special designation, protection or sensitivity. Furthermore, the application site is not designated as public open space within the SELLP or within any Neighbourhood Plan. The application site, when viewed amongst its immediate surroundings along Wignals Gate, is considered to be largely visually constrained by the adjacent residential dwellings forming the settlement when viewed in the context of housing development; albeit, the proposed development would be partially visible from vantage points, particularly towards the point of access. The proposed development would largely comprise a partial back land position, to the rear of existing properties along Wignals Gate, and to the immediate west of residential properties along Forest Way and Spinney Close and as such, the site is not located in an overtly or visually prominent location within the overall context and setting of Holbeach.
- 7.69 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 or viewpoint for the settlement, nor would the development restrict any important views from settlement to the surrounding landscape. 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. This weighs neutrally in the planning balance, as a lack of harm is a pre-requisite for development proposals and not a benefit that should be afforded substantial weight.

- 7.70 In terms of the application sites relationship with the existing built form within its surroundings, while not physically interlinked through access roads or pedestrian footpaths, the proposal would be sited as to lie immediately west of the modern residential development along Forest Way, Spinney Close, and other spur roads within this adjoining development. This offers a lessening of any potential impact, with the development being viewed, to some extent, in the context of the adjacent modern housing development.
- 7.71 Whilst no existing development would lie to the west of the application site, this would assist in ensuring the proposed development would not result in a visually incongruous development or comprise a poorly related expansion. In this regard, the proposal would therefore not adversely harm the settlement pattern of Holbeach.
- 7.72 The proposed scheme would comprise a density of 34.5 dwellings per hectare. Whilst this density is in excess of that drawn by a development comprising the nominal capacity of the wider Reserve Site, in this instance the proposed density is considered to be acceptable and would not be out of context to which it would be sited.
- 7.73 With regards to the layout and design of the proposed development, insofar as this relates to the character and appearance of the area, the proposal is considered to offer an acceptable development. The proposed development is accessed via Wignals Gate, with an adoptable highway being offered as the main access route through the site, with adoptable spur roads leading west, and also from north to south at the end of the road following its turn to the east, whilst also offering private access roads in various areas, in order to serve plots 12-16, 17-21, 25-30 and 37-40.
- 7.74 The scheme seeks to provide frontage facing dwellings to either the adoptable highways, or private access roads, throughout; with prominent or corner plots such as plots 23-24 and 29-30, being designed as semi-detached dwellings with dual-aspect features, to ensure continuation of this front facing design.
- 7.75 The plots located along the predominate access road, designed as to have a northerly frontage, would back onto the vacant agricultural land to the rear of the application site and would bound the site boundary. The plots located within the south westernmost area of the site form a cluster of 16 dwellings, with back-to-back relationships, with the dwellings proposed to the north west and north east of the site having a direct relationship with existing relational properties that front onto Wignals Gate.
- 7.76 As such, the layout proposed comprises rear amenity spaces that bound onto vacant land and areas of increased separation through drainage ditches. However, the layout also gives rise to various garden to garden relationships; notwithstanding this, such a relationship is not considered to be untypical in a modern residential development and a built up residential area, and is a suitable design for such a scheme, subject to acceptable amenity impacts.
- 7.77 Beyond the siting of the dwellings, the proposed development has been designed as to comprise an area of useable open space, with a dedicated area for activity and play. Whilst not specified within the site layout plan, it is the intention for an area of equipped play to be sought within this area. This open space lies towards the access to the site. With regard to the most visual prominent aspect, comprising the access point from Wignals Gate, this would offer a clear visual break from built form.
- 7.78 Plot 1, comprising a dual-aspect design, would front onto the main highway, adjacent to this area of open space, with plots 25-29 being sited as to face westerly, as to have a direct line of sight towards this area. This provides a fairly open focal aspect to the scheme that contributes positively to the design and encompasses its siting and integration by providing clear natural visual surveillance from the proposed dwellings as sought by National Design Guide which 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".
- 7.79 Returning to the proposed dwellings, the scheme comprises two storey dwellings in its entirety, with the exception of plots 25 and 26, which take the form of semi-detached bungalows. The dwellings offer a mix of house types and styles, albeit comprising a fairly consistent approach, and seek to present a road fronting development in the large part. The scheme would offer a mix of one bedroom (8x), two bedroom (28x), three bedroom (19x) and four bedroom (2x) dwellings, with a view to directly support the identified need for affordable housing within Holbeach.

- 7.80 The proposed dwellings, as is further detailed within the Materials Plan and application form, illustrate the use of red brick, buff brick and dark (black) weatherboarding in differing mixes in regards to the external finish. These materials, and the mixture utilised, are consistent with those commonly in use within the surrounding built environment and offer a visual break via the mixture in use. The materials have been illustrated within the submission and are subject to a recommended condition.
- 7.81 The submission has also been supported by landscaping plans, illustrating the use of a mixture of planting, with various native hedges and trees proposed, including along the western boundary of the site, to further screen the development from the agricultural land to the west.
- 7.82 Overall, whilst it is inevitable that some degree of landscape harm would arise given the scheme seeks to develop housing within an existing agricultural field, it is considered that the proposal comprises an appropriate and acceptable design as to ensure the extent of harm is minor, as to not amount to demonstrably significant or adverse harm as to warrant refusal. It is considered that the proposed development would not have a significantly adverse impact upon the character of the local landscape or to the settlement pattern, or otherwise cause harm that would not be outweighed by the social and economic benefits that the scheme would deliver to the District in terms of the achievable supply of affordable housing.
- 7.83 Taking account of the above, it is considered that the nature of the development, coupled with the resultant scale, layout and design, are acceptable. The proposal would not cause a significant demonstrable harm or unacceptable detrimental adverse impact to the character or appearance of the area. Furthermore, the design and layout are broadly in-keeping with the existing adjacent built environment which will enable the development to integrate effectively with its surroundings.
- 7.84 As such, the proposal would be in accordance with policies 2, 3 and 28 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024). This matter weighs neutrally in the planning balance.
- 7.85 Impact on Residential Amenity/Land Users
- 7.86 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.
- 7.87 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.
- 7.88 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.
- 7.89 Overall, it is considered that whilst the development would comprise the erection of 57 dwellings, the proposal would not cause, or give rise to, an unacceptable impact or harm to the residential amenities of neighbouring occupiers.
- 7.90 The application site, comprising Reserve Site Hob011, lies off Wignals Gate, and is immediately neighboured to the north by residential properties fronting Wignals Gate. These properties, which lie to the east and west of the access are predominantly two storey in scale, with the exception of No.51a which is a single storey bungalow and No.57, located immediately to the

west of the proposed access, which comprises a dormered bungalow. Adjacent to the site, along the northern side of Wignals Gate lie further residential properties, predominantly two storey in scale.

- 7.91 The site is also neighboured to the east by existing residential development, namely Spinney Close. Spinney Close predominantly comprises bungalows, with all those within closest proximity being a single storey scale. Spinney Close is accessed via Forest Way which is predominantly two storey dwellings. This forms a modern, recently constructed development.
- 7.92 The access to the proposed development would be gained via a single point of access, taken directly from Wignals Gate. This access would be situated within a currently vacant area of land, located between No.51a (west) and 57 (east) Wignals Gate. The access road, beyond the initial access point and including the footpath, would be set approximately 9.0m from the western neighbouring property and in excess of 20.0m from the eastern neighbouring property. Furthermore, it is noted that residential properties lie adjacent to the application site, to the northern side of Wignals Gate. Notwithstanding this, the point of access lies adjacent No.106 Wignals Gate only, towards the junction of Maple Grove; the separation between the junction and this adjacent dwelling (No.106) is in excess of 19.0m. This access arrangement is considered to be suitable with regard to the residential amenity of occupiers of these neighbouring dwellings.
- 7.93 The proposed development would result in garden to garden relationships between some proposed dwellings, and the existing properties that immediately neighbour the proposed development along Wignals Gate and Spinney Close. Notably, plots 1-8 would have a garden to garden relation with No.57 and No.59 Wignals Gate, the five dwellings neighbouring to the north (No.49, 49a, 51, 51a 53) would have garden to garden relationships with plot 25-37, and albeit to a greater degree of separation and not directly adjoining, plots 37-45 have been designed as to have their gardens facing those of Spinney Close. Whilst this would predominantly be rear-to-rear relationships, it is noted that plot 25 would have a 'side-on' relationship with No.53, with plots 25 and 26 also being situated as to have their rear elevation and garden spaces adjoining the side of the plot comprising No.51a Wignals Gate. In addition, but not limited to these, plot 37 would also have a 'side-on' relationship with No.49 Wignals Gate.
- 7.94 The arrangement of rear-to-rear gardens are not uncommon within built up urban areas or within Holbeach itself, nor is this relationship in respect of rear elevational windows; and as such, it is not considered unacceptable in this regard. Specific to this proposal, when considering the relationship between the existing residential properties bounding the site with those of the proposed dwelling to the immediate rear, at the closest point the proposed dwellings would have the following separation distances (at a minimum):
- Wignals Gate*
No.49 - 16.5m from the side elevation to the rearmost elevation of the neighbouring property
No.49a - 30m from rear elevation (of No.36) to the rearmost elevation of the neighbouring property
No.51 - 26.5m from rear elevation to the rearmost elevation of the neighbouring property
No.51a - 10.5m from the rear elevation to the side elevation of the neighbouring property
No.53 - 12m from the side elevation to the rearmost elevation of the neighbouring property
No.57 - 18m from rear elevation to the rearmost elevation of the neighbouring property
No.59 - 18m from rear elevation to the rearmost elevation of the neighbouring property
- 7.95 In addition, the separation distances to the properties (rear elevation to rear elevation) along Spinney Close would be 27.0m at the closest point.
- 7.96 It should be noted that South Holland District Council do not have an adopted or up-to-date design guide to serve the area. Likewise, whilst national guidance is considered, such as the National Design Guide, these do not offer specific, or restrictive limitations on separation distances. With this in mind, whilst the separation distances in some instances are below that which may typically be sought through design guidance, the elevation to elevation relationships proposed to these neighbouring properties, when considered alongside the extent of amenity space and design taken within the proposed development, which includes side to rear relationships and the use of two bungalows where within very close proximity amongst other

matters, are considered to be adequate to provide a sufficient separation distance to the resultant built form of the proposed residential dwellings, to avoid adverse levels, or direct facing, to habitable rooms from occurring, nor any loss of light to neighbouring dwellings. Furthermore, there are no design features proposed which are considered likely to result in loss of privacy or overlooking arising to any neighbouring dwelling, that would warrant refusal in this case.

- 7.97 Overall, the proposed development is considered to be acceptable in this regard and would not give rise to a significant adverse impact upon the residential amenities of neighbouring occupiers.
- 7.98 Taking this matter further, it should be noted that the potential impacts caused by any increase in finished floor levels, in respect of the potential impacts upon the residential amenities of neighbouring occupiers, must also be considered. As will be discussed in further detail below, the finished floor levels would be set at 300mm above external ground levels. It is considered that this increase, subject to appropriate boundary treatments which would be subject to condition, would not give rise to an unacceptable additional impact upon overlooking, loss of privacy or overbearing.
- 7.99 Agricultural land lies to the south and west of the application site and as such, no adverse impact would be caused in this regard.
- 7.100 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, during the building phase of the development. 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, would manage such matters satisfactorily and will ensure this impact is not severe or harmful.
- 7.101 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, appropriate boundary treatments and other mitigating matters. 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). This matter weighs neutrally in the planning balance.
- 7.102 Highway Safety and Parking
- 7.103 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".
- 7.104 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".

- 7.105 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".
- 7.106 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.
- 7.107 The proposed development would obtain access via a single point from Wignals Gate, providing a predominant road that runs through the proposed development, which leads to spurs and private access roads within the scheme. The main access route through the site is proposed to comprise an adopted highway, with private access roads serving plots 12-16, 17-21, 25-30 and 37-40.
- 7.108 During the application process, Lincolnshire County Council Highways have been consulted in their capacity as Local Highway Authority and in this regard, have raised no objections on highway grounds, following the most recent iteration of the scheme. Whilst initial consultation received by the Local Highway Authority raised a number of queries, seeking amendment and clarification, these matters were addressed by the applicant, which followed direct communication between the applicant and both the Local Planning Authority and Local Highway Authority.
- 7.109 Within the most recent formal response received by the Local Planning Authority, it is noted that the Local Highway Authority 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 and therefore does not wish to object to this planning application".
- 7.110 It is also noted that highway matters were raised within various letters of representation. These included comments regarding highway safety, excessive speed of vehicles along Wignals Gate, acceptability of the access opposite Maple Grove, the volume of traffic generally and as a result of recent development along Wignals Gate, and parking concerns.
- 7.111 It is also acknowledged that 'Appendix 5: Allocations - Infrastructure requirements, constraints and mitigation' of the South East Lincolnshire Local Plan (2019) discusses the Reserve Site of Wignals Gate. This details, with regard to highways and access, that "The access to the site needs to be located where the existing agricultural buildings are currently situated provided that adequate visibility can be achieved. Access in front of Maple Grove would not be acceptable. There is no footway on the southern side of Hall Gate".
- 7.112 Whilst this matter has been raised within the representation received during this application, the proposal is considered to be acceptable as currently proposed, utilising an access point towards the junction of Maple Grove, without the need for a secondary, or alternative point of, access. In this regard, the Local Highway Authority, while acknowledging the access arrangements and detailing that "There is a priority junction on the south side of Wignals Gate, the carriageway is 5.5m wide with a 6m radii", have concluded no objections in this regard.
- 7.113 The connectivity through the site would be formed via the predominate access road, which is to be adoptable, leading to spur roads and private access roads. Pedestrian footpaths would be provided within areas of the proposed development, allowing connectivity via foot in the large part to the main access of Wignals Gate, and the area of play/open space.
- 7.114 The residential plots located along private access roads would be located within 30m, or less, of an adoptable road, with the exception of plots 25 and 26, which would lie beyond this distance.

As such, the development would primarily fall within the guidelines for carrying distance for waste and would be suitably accessed throughout.

- 7.115 It is therefore considered that the access, layout and roads proposed are suitable and acceptable in this regard.
- 7.116 With regard to highway matters, it is also noted that the consultation response sought highway improvements "including a connecting footway around the junction complete with tactile crossing, removal of BT pole, relocation of sign and kerbing/drainage to the frontage". The comments detail that this could be sought by condition, and will therefore be attached as part of this recommendation.
- 7.117 With regard to parking, each plot has private parking arrangements, typically via the drives serving each plot, either to the side or to the front of the dwellings. 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.
- 7.118 The proposed development comprises one, two and three bedroom properties, each requiring a minimum of two parking spaces; with 2x four bed dwellings (plots 41 & 42) also being proposed. 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.
- 7.119 In reviewing sustainable transport methods, it is considered that the proposal site is such that when considering non-motorised users, the site has adequate connectivity and lies within fairly close proximity, to the town centre of Holbeach. Therefore, it is considered that the site is located within a short walking distance of a good range of amenities.
- 7.120 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.
- 7.121 Therefore, considering the assessment contained above and advised by the Local 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.
- 7.122 Beyond the above, it should be noted that Holbeach is identified as a 'Main Service Centre' as detailed within Policy 1 of the South East Lincolnshire Local Plan (2019). Given this, it is evident that Holbeach 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, to go about their day to day lives without being solely dependent on the use of a car.
- 7.123 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. This matter weighs neutrally in the planning balance.
- 7.124 Refuse Collection
- 7.125 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.

- 7.126 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. 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.
- 7.127 It should also be noted that the Council are in the process of adopting an alternative method of waste collection, including the use of 'wheelie bins'. Whilst this is not yet implemented within the area of the proposal, it is noted that this is likely to occur in the future. In this regard, the proposed development is designed so that the large majority of dwellings can gain access to the rear of the plots, as to locate and store future bins.
- 7.128 The proposed dwellings would be located on either an adoptable highway, or on a newly formed private access road, which is accessed via the aforementioned new adoptable road. Waste collection vehicles will have the ability and authority to attend plots served by the proposed adoptable highways; and as such, would provide an adequate and appropriate form of refuse collection.
- 7.129 However, it is noted that the development does comprise private drives. Within the areas accessed via a private drive, waste collection points are proposed; albeit, with the exception of plots 25 and 26, the dwellings served by a private road are located within the 30 metres carrying distance and as such, the proposal accords with the requirements of the guidance note. It is considered, particularly in light of recent appeal decisions, that the proposal adequately accommodates for the collection of refuse and waste, which can occur through South Holland Waste Services.
- 7.130 Overall, 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.
- 7.131 Flood Consideration
- 7.132 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".
- 7.133 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).
- 7.134 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.
- 7.135 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.

- 7.136 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).
- 7.137 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.
- 7.138 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.
- 7.139 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.
- 7.140 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".
- 7.141 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.
- 7.142 In this case, the site forms a reserve site and is not a direct 'allocated site' within the Local Plan. Notwithstanding this, it is worth noting that the NPPF does not give rise to any direction for reserve sites in this regard; in addition, Policy 12 of the SELLP is equally absent in providing direct discussion on flood risk matters. In this regard, it could be viewed that given the site is identified as a reserve site, the site has been subject to a site specific assessment as a location that the Council would consider housing in the right circumstances (i.e when the Council cannot identify an appropriate housing supply and when the Council fails the housing delivery test). Given this, and the absence of any evidence to suggest that an assessment of the reserve sites within the Local Plan was not carried out with regard to the consideration of Flood Risk, or that a SFRA was not considered at that time, it is considered logical to reason that Reserve Sites can be considered similar to that of formal allocations within a formally adopted Local Plan, and as such, do not require the sequential test to be carried out at decision-making stage.
- 7.143 Notwithstanding this, for the sake of clarity the following offers an assessment of the sequential test in any case.
- 7.144 As has been discussed elsewhere within this report, the site lies within Flood Zone 3 of the Environment Agency maps; however, in line with the SFRA, it is 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.
- 7.145 It is noted that the submitted flood risk assessment has not been accompanied by a specific search for alternative sites. Notwithstanding this, nor that the SFRA advises such a search should take account of the District as a whole, paragraph 027a of the PPG details that "For a non-major housing development, it would not usually be appropriate for the area of search to extend beyond the specific area of a town or city in which the proposal is located, or beyond an

individual village and its immediate neighbouring settlements". It is therefore appropriate that any such search would be limited to the settlement of Holbeach.

- 7.146 The site lies within a "no hazard" classification within the Strategic Flood Risk Assessment, for the present day or 2115. As such, notwithstanding the lack of search for alternative sites, this comprises the lowest risk of flooding under the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire SFRA. As such, it is considered that the application passes the sequential test.
- 7.147 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.
- 7.148 The proposed development would be subject to conditions, requiring the mitigation outlined within the submitted Flood Risk Assessment to be implemented and retained throughout the lifetime of the development, including the need to increase finished floor levels to 300m above ground level. The Environment Agency have been consulted and have formally raised no objection. This mitigation is deemed to be acceptable and appropriate, as to ensure the development would be safe for its lifetime.
- 7.149 It is also evident, given the nature of the proposal that the delivery of housing, and in addition the delivery of an entirely affordable housing scheme, as proposed by this development, offers development that provides wider sustainability benefits to the community that outweigh the flood risk.
- 7.150 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.
- 7.151 Drainage and Anglian Water
- 7.152 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.
- 7.153 It is noted that Anglian Water and the Lead Local Flood Authority sought additional information and clarity, particularly with regard to surface water drainage, within their initial consultations. Extensive dialog has been undertaken between the applicant and Anglian Water, alongside the Lead Local Flood Authority. In light of this, revised consultation responses have been received. The following assessment is based on the most recent information and the most recent comments received by these consultees.
- 7.154 In respect of drainage, the application has been accompanied by a Drainage Strategy. In regard to foul drainage, the submitted drainage strategy details that the "existing public sewer records were received from Anglian Water" and explains the presence of a "150mm diameter public gravity foul sewer running parallel with Wignals Gate to the north of the site".
- 7.155 As such, "a foul discharge to the public foul sewer is proposed to be made via an existing stube pipe".
- 7.156 Within the most recent consultation response obtained from Anglian Water, it was outlined that "Holbeach WRC is within the acceptance parameters and can accommodate the flows from the proposed growth". This continued to detail that "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".
- 7.157 Turning to surface water, the drainage strategy sets out that "It is proposed to discharge surface

water to the existing Anglian Water surface water sewer in Wignals Gate at a rate of 3.8 l/s via a new S104 pumping station", with there being a 450mm diameter public surface water sewer running parallel with Wignals Gate.

- 7.158 In this regard, concerns and clarity was sought from Anglian Water with regard to the appropriate assessment of alternative means of surface water drainage. The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.
- 7.159 However, following further information and further to ongoing discussions between parties, it was resolved that this method is acceptable. Anglian Water have concluded that:
- "the submitted surface water drainage information for the proposed development. Based on the details provided, the applicant proposes to discharge surface water runoff from the development site into the Anglian Water 450mm surface water sewer at existing manhole 4553, at a controlled discharge rate of 3.8 l/s. The proposed surface water strategy is acceptable to Anglian Water, subject to the implementation of a surface water pump solution to ensure flows can be conveyed appropriately to the receiving asset. The proposed discharge rate of 3.8 l/s reflects the minimum adoptable standard required under the Design and Construction Guidance (DCG) for adoptable surface water systems".
- 7.160 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 surface water drainage details prior to development commencing is considered acceptable in this instance.
- 7.161 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.
- 7.162 Biodiversity
- 7.163 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.
- 7.164 "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".
- 7.165 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.
- 7.166 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.
- 7.167 As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set. 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.

- 7.168 The Partnerships Ecologist has commented throughout the application process and concludes that "Overall, the biodiversity assessment and metric calculations appear rigorous, and we can have confidence in their conclusions".
- 7.169 In this case, the submitted detail indicates that 10% mandatory net gain cannot be achieved on-site, and therefore the proposals require 1.09 area-habitat units off-site, to be secured either by bespoke habitat creation/enhancement undertaken by the applicants on land they own elsewhere or in agreement with another landowner, or via the purchase of the appropriate number of units from an off-site habitat bank and evidence this to the authority pre-commencement.
- 7.170 In this regard, subject to the implementation of conditions and subject to securing such a provision via a s106 agreement where this provision is to be provided off-site elsewhere, the LPA can be confident that the proposal complies with this statutory requirement, in accordance with Schedule 7A and Policy 28 of the South East Lincolnshire Local Plan.
- 7.171 Ecology
- 7.172 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.
- 7.173 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".
- 7.174 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.
- 7.175 In this regard, the application has also been subject to thorough ecological documentation accompanying the application. In consultation with the Partnerships Ecologists, it has been concluded that sufficient ecological data has been provided to determine this application.
- 7.176 The mitigation and enhancement recommendations provided in the PEA are supported, and the enhancement provisions, in addition to the provision of bird and bat boxes, shall be subject to a recommended condition.
- 7.177 In addition, in accordance with the advice from consultees, conditions will also seek two further water vole surveys to be completed on site pre-commencement.
- 7.178 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.
- 7.179 Contaminated Land

- 7.180 During the application process, consultation was undertaken with South Holland's Environmental Protection team. This is in light of Appendix 5 of the Local Plan detailing that "The site is on a list of potentially contaminated sites requiring further investigation".
- 7.181 In this regard, the consultation response has requested that a condition be attached, which requires the submission of suitable contamination and verification reports. As such, conditions have 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.
- 7.182 Archaeology
- 7.183 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.
- 7.184 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".
- 7.185 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.
- 7.186 In respect of archaeology, the application has been accompanied by a 'Gradiometer Survey Report'. Consultation was undertaken with the Historic Environment Officer of the Historic Places Team, at Lincolnshire County Council.
- 7.187 In response, it was detailed that the site has potential to encounter archaeological interest and the "survey results indicate the presence of likely and possible archaeological features within the application area".
- 7.188 In this regard, the proposed development groundworks and any temporary works associated with the development (including landscaping, drainage connections and BNG planting) will have the potential to cause significant impact on any surviving archaeological remains, resulting in total or partial loss, if present. As such, it is recommended that conditions are attached that require the submission of further archaeological investigation.
- 7.189 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.
- 7.190 Developer Contribution and Viability
- 7.191 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". 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.

- 7.192 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".
- 7.193 The proposal in this instance comprises a major development for the erection of 57 dwellings and as such, would be subject to the aforementioned with regard to S106 contributions; including affordable housing, Healthcare, Education, and any Highway requirements, in addition to the required monitoring fees.
- 7.194 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; and
 - health facilities will be made in accordance with the requirements set out in Appendix 9: Developer Contributions for Health Facilities".
- 7.195 *Affordable Housing*
- 7.196 Policy context for affordable housing, and an assessment of the considerations of this in relation to this scheme, have been set out, in part, within the principle section of this report. As such, it is not necessary to reaffirm this matters here.
- 7.197 Notwithstanding this, 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". Policy 18 requires the provision of 25% affordable housing on-site, for market schemes within South Holland.
- 7.198 The proposal in this case seeks permission for 57 dwellings, all of which are proposed as affordable housing. As such, the proposal under consideration is for an entirely affordable housing scheme.
- 7.199 Overall, it is evident that the proposal exceeds the 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 Holbeach. As such, the positive Social and Economic benefits of the supply of affordable dwellings would deliver substantial planning gains and would have significant benefits. This matter weighs significantly in favour of the proposal and is afforded substantial weight in the planning balance.
- 7.200 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.
- 7.201 The affordable nature of the scheme would be secured via a S.106 Agreement.
- 7.202 *NHS Healthcare & Education*
- 7.203 Requests for financial contributions have been forthcoming from the NHS, as below:
 - The contribution requested for the development is £52,141.32 (£914.76 x 57 dwellings). Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.
- 7.204 This requests outlines that "an increase in population of 137 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".
- 7.205 Likewise, a request for a financial contribution has also been made by Lincolnshire Education, with a sum of £522,651.06 being sought as a result of the "direct impact on local schools".; with the sum being sought to mitigate the impact of the development at local level.

- 7.206 It should be noted that a viability appraisal has been submitted as part of this application and as such, an assessment of these requests is offered as a collective below.
- 7.207 *Highway Contributions*
- 7.208 Lincolnshire County Council as Local Highway Authority have also sought contributions within their latest formal consultation response. This sought:
- £42,750 - In the interests of promoting sustainable travel and to reduce the dependency on car travel, we request that a total contribution of £42,750 in order to maintain the current bus service Stagecoach 505 so that it can be retained and if possible additional journeys built into the service".
- £15,675 - 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 £15,675 based on £275 per voucher x 57 dwellings"
- 7.209 In this regard, the Local Planning Authority have not been provided with any detailed or technical evidence, or justification from the Local Highway Authority, advising of the need for these sums as a specific and direct result of the proposed development.
- 7.210 It should be noted that a viability appraisal has been submitted as part of this application and as such, an assessment of these requests is offered as a collective below.
- 7.211 *Viability*
- 7.212 The National Planning Policy Framework, under Paragraph 58, sets out that "Planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development".
- 7.213 This goes on to express, under Paragraph 59, that "Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available".
- 7.214 Policy 6 of the South East Lincolnshire Local Plan set out that "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. Contributions will be determined having regard to: the viability of the proposed development".
- 7.215 The policy justification, under paragraph 3.7.11 sets out the following:
- In exceptional circumstances, where applicants state that financial viability prevents the delivery of some or all developer contributions, a financial appraisal should be submitted. Preferably this should form part of the pre-application negotiations but must be submitted with a planning application. Each Local Planning Authority's independent valuer will consider the assessment. All costs associated with the assessments will be met by the developer.*
- 7.216 Paragraph 3.7.14 details that "Where a developer can demonstrate that the viability of a development affects the provision of developer contributions, the Local Planning Authorities will balance the adverse impact of permitting the scheme on the delivery of such provision, with any identified planning benefits of the scheme".

- 7.217 In this case, the application has been supported by a Viability Appraisal. This detailed that the development "is not viable to achieve a developers return for a 100% Affordable scheme of 57 units and the high associated abnormal costs".
- 7.218 In line with the requirements of the SELLP, the LPA sought an independent assessment, via an independent viability assessor, at the cost of the applicant. Whilst discussions were had between parties, it was initially agreed that the scheme cannot viably support the full planning policy requirements. However, it was initially concluded by the independent assessor that on the basis of 100% affordable housing, 'the scheme was able to viably support a reduced S106 contribution of £140,000".
- 7.219 Further discussions were had between parties, with additional information, largely regarding abnormal costs, being submitted. It was concluded, by the independent assessor, that following acceptance of an energy efficiency allowance and adopting the relevant £4,000 per dwelling as an additional cost to the BCIS rate:
The scheme comprising this £4,000 per dwelling and nil S106 contributions, would comprise a residual land value of £498,812; when based on 100% onsite affordable scheme. This concluded that "As this is below the benchmark land value of £577,500, this fails to reach the viability threshold, even before any S106 contributions are factored in. On this basis, I am content to accept the applicant's position that the scheme, strictly on the basis of 100% affordable housing, is unable to viably support any S106 contributions".
- 7.220 Given the policy position as regards to demonstrating viability, it is clear that at present the scheme, comprising an entirely affordable proposal, would not be viable, even with no developer contributions. Drawing on the specialist advice from the independent viability assessor, it is accepted that the removal of any request to seek the commuted sums, comprising those sought for healthcare, education and highways from the S106 is necessary in order for the development to be delivered viably.
- 7.221 The proposal of an all affordable scheme, as detailed within the report above, offers significant social and economic benefits to the area; a matter of significant weight. This is of further benefit given the identified localised need for Holbeach, a matter which has been identified and commented upon by the applicants, and further acknowledged and addressed by the Council's Housing Strategy team. Whilst there is a balance to be had with regard to the need for infrastructure and contributions as listed above, which would form part of the planning balance in this regard, the affordable housing need is also matter of notable consideration. In this regard, it is the officers opinion that in light of the clear and evidenced need, including a localised need, for affordable housing within Holbeach, and given that this proposal seeks to specifically target and in part, address this need, this provision is given greater weight in the planning balance.
- 7.222 As such, no financial sums are sought as part of this proposal.
- 7.223 **Additional Considerations**
- 7.224 Public Sector Equality Duty
- 7.225 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.
- 7.226 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 7.227 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.
- 7.228 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.
- 7.229 Human Rights
- 7.230 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).
- 7.231 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.
- 7.232 Planning Balance
- 7.233 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.
- 7.234 The application lies within the defined settlement boundary of Holbeach, a 'Main Service Centre'. The development seeks permission for 57 dwellings, with all dwellings being provided as affordable housing.
- 7.235 The application site comprises a reserve site. To date, when considering the requirements for the release of the Reserve Sites the Local Planning Authority can conclude that the trigger point for the release of the reserve sites has not been met. This means the proposal does not technically accord with the Local Plan. Notwithstanding this, the District, and Holbeach specifically, are underperforming in the delivery of affordable housing. Whilst the delivery of this provision can be provided through the implementation of market led schemes, including allocations, the SELLP is clear in that development proposal specifically for affordable housing development also contribute, and are supported, under Policy 18 of the SELLP.
- 7.236 In this regard, the affordable nature of the scheme is a material consideration and holds significant weight within the planning balance and as such, a balanced decision must be reached. When considering the development together with the requirements of local and national policy, it is considered that the social and economic benefits of the affordable housing provision offered, coupled with the acceptability of residential development within the site more broadly; albeit being contrary to the requirements of Policy 12 (Reserve Sites) in that the trigger point for their release has not been met, gives rise to notable benefits that must be attributed significant weight in this instance. In this regard, officers are of the opinion that the benefits associated with the provision of a 100% affordable housing scheme, outweighs the resultant harm from the technical non-compliance with Policy 12 of the SELLP in the planning balance, and justifies this minor departure from planning policy.
- 7.237 As such, it is considered that on balance, the principle of residential development on site is acceptable.
- 7.238 Furthermore, 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 remaining relevant material considerations that could weigh against the proposal. The proposal comprises a design and layout that is viewed to be acceptable. Furthermore, the development would deliver positive gains in terms of BNG provision which is afforded positive weight in the

planning balance.

7.239 Whilst it is noted that the proposal would not be viable, as a fully affordable scheme, with further S106 sums. Having regard to the allowance made under Policy 6 of the South East Lincolnshire Local Plan (2019), and given that the applicant has demonstrated through viability, which in turn has been independently assessed, it is considered that the removal of any ask for contributions set out above are in this instance necessary to make the scheme deliverable, and this stance, in securing the scheme as a 100% affordable housing scheme, should be given the greater weight in this instance. As addressed within the report above, the provision of an all affordable housing scheme offers significant public and social benefits to the District; a matter of significant weight, and is of further benefit given the clear, and evidenced, localised need identified for Holbeach.

7.240 In this regard, when considering the benefits of the proposal in that the development seeks to provide an additional 57 dwellings within a site, which would all comprise affordable housing, 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 significant contribution to the supply and provision of housing in the District. This would include a significant provision of affordable housing, making a positive contribution to an identified local need.

7.241 **Conclusion**

7.242 Taking into consideration the factors raised above, whilst being at conflict with Policy 12, it is considered that the proposal is would be in accordance with Policies 1, 2, 3, 4, 6, 10, 11, 17, 28, 30, 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 On balance, 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 site as an entirely affordable housing scheme, as 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:

- Application Form
- 102-575/004 Rev A – Location Plan
- 102-575 / 001 Rev P – Planning Layout
- 102-575-(HT)009A - 3B5P House - Type E - Cladding - Plots 17-18 - Floor Plans & Elevations
- 102-575 - (HT)010A - 3B5P House - Type E - Cladding - Plots 27-28 - Floor Plans & Elevations
- 102-575-(HT)011A - 3B5P House - Type E1 - Floor Plans & Elevations - Plots 3-4, 52-53
- 102-575-(HT)012A - 3B5P House - Type E1 - Buff & Cladding - Floor Plans & Elevations - Plots 33-34, 50-51

- 102-575-(HT)013A - 3B5P House - Type EF - Cladding - Floor Plans & Elevations - Plots 1-2, 23-24, 29-30
- 102-575 - (HT)014A - 3B5P House - Type EF - Buff & Cladding - Floor Plans & Elevations - Plots 9-10
- 102-575- (HT)015A - 4B6P House - Type G - Buff & Cladding - Floor Plans & Elevations - Plots 41-42
- 102-575 - (HT)001A - 1B2P Maisonette - Type A - Floor Plans & Elevations - Plots 46-49
- 102-575-(HT)002A - 1B2P Maisonette - Type A - Cladding - Floor Plans & Elevations - Plots 54-57
- 102-575-(HT)003A - 2B4P Bungalow - Type B - Floor Plans & Elevations - Plots 25-26
- 102-575- (HT)004A - 2B4P House-Type C - Floor Plans & Elevations - (Plots 19-20)
- 102-575-(HT)005A - 2B4P House - Type C - Cladding - Floor Plans & Elevations - Plots 21-22
- 102-575-(HT)006A - 2B4P House - Type C1 - Floor Plans & Elevations - Plots 5-6, 11-12, 13-14, 31-32, 35-36, 37-38 & 39-40
- 102-575-(HT)007A - 2B4P House - Type C1 - Buff & Cladding - Floor Plans & Elevations - Plots 7-8 & 15-16 (handed)
- 102-575-(HT)008A - 2B4P House Type CDC - Terrace - Floor Plans & Elevations - Plots 43, 44 & 45
- 102-575 / 005 Rev D – Material Plan
- 1969-004 – Tree Constraints Plan
- 1969-005 – Tree Protection Plan
- 1969-006 Rev D- Landscape Master Plan - Sheet 1
- 1969-007 Rev D - Landscape Masterplan - Sheet 2
- 12773-WMS-ZZ-XX-D-C-39201-S8-P5 – Drainage Layout

Alongside the following list of approved reports and supporting documents:

- 12773-WMS-ZZ-XX-T-39301-S8-P3 – Flood Risk assessment, dated July 2025
- VC0635 R1.0 – Transport Statement, dated 30 June 2025
- 14/07/25 ADA/DNW/LEN Rev A – Design & Access Statement
- Preliminary Ecological Appraisal (PEA) – dated June 2025
- Biodiversity Net Gain (BNG) Summary Report Rev: B – dated October 2025
- 12773-WMS-ZZ-XX-T-C-39201-S8-P5 – Drainage Strategy
- S250326/GAS - Ground Gas Risk Assessment - 24 March 2026

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

3. The materials of the external surfaces (including brickwork, finish, roof tiles and windows) of the development hereby permitted shall be carried out in accordance with the details outlined within the application form and approved plans, with particular attention to drawing no. 102-575 / 005 Rev D - Material 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 Flood Risk Assessment (12773-WMS-ZZ-XX-T-39301-S8-P3 - prepared by William Saunders, dated July 2025), forming part of this planning application.

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

- Finished floor levels shall be set no lower than 300mm above existing ground levels.

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. 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.

6. 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.

7. 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.

8. With the exception of where prevented by the requirements of Condition 12, the scheme of hard and soft landscaping, and tree planting, shown on dwg. no. 1969-006 Rev B and 1969-007 Rev C, shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses, in the opinion of the Local Planning Authority, shall be made good as and when necessary.

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.

9. 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), incidental open space, refuse/recycling collection points and parking courts/private drives shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall be maintained in accordance with the approved details.

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.

10. Prior to the first occupation of any dwelling hereby permitted, the foul water disposal system must be completed in full, in accordance with the details set out within the drainage strategy (12773-WMS-ZZ-XX-T-C-39201-S8-P5) and drainage layout (12773-WMS-ZZ-XX-D-C-39201-S8-P5).

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.

11. Prior to the first occupation of any dwelling hereby permitted, the development hereby permitted shall be undertaken in accordance with a surface water drainage scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- be based on verified groundwater levels and seasonal variations, as evidenced through on-site monitoring conducted over a further six-month winter period;
- 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 Run Off 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 shall be occupied until the approved scheme has been completed 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 and to accord with Policy 4 of the South East Lincolnshire Local Plan (2019).

12. No development hereby permitted shall be commenced until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority.

No dwelling hereby permitted shall be occupied until the development is carried out in accordance with the details so approved, and no hard-standing areas shall be constructed until the works have been carried out in accordance with the strategy.

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 and to accord with Policy 4 of the South East Lincolnshire Local Plan (2019).

13. 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 against the adverse impacts of vehicle movements and vehicle parking and shall include:

- the phasing of the development to include access construction;
- the on-parking of vehicles of site operatives and visitors;
- the on-site loading and unloading of plant and materials;
- the on-site 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;
- a 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 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.

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

14. Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

This Condition is imposed in accordance with Policy 2 and 36 of the South East Lincolnshire Local Plan, 2019, and Section 9 of the National Planning Policy Framework.

15. The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first 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.

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 and 36 of the South East Lincolnshire Local Plan, 2019, and Section 9 of the National Planning Policy Framework.

16. No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of a connecting footway around the junction complete with tactile crossing, removal of BT pole, relocation of sign and kerbing/drainage to the frontage, a series of tactile crossings are required at Maple Grove, Wigal's Gate with the development, Netherfield and Harwood) have been certified complete by the Local Planning Authority.

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

This Condition is imposed in accordance with Policy 2 and 36 of the South East Lincolnshire Local Plan, 2019, and Section 9 of the National Planning Policy Framework.

17. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a 'Residents Travel Pack'. The details of the 'Residents Travel Pack' shall have first been submitted to and approved in writing by the Local Planning Authority.

The contents of the Travel Pack shall include:

- information promoting the use of sustainable personal journey planners;
- walking and cycle maps;
- bus maps;
- the latest bus timetables applicable to the proposed development; and
- bus fare discount information.

Reason: In the interest of promoting sustainable development.

This Condition is imposed in accordance with Policy 2 and 36 of the South East Lincolnshire Local Plan, 2019, and Section 9 of the National Planning Policy Framework.

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

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

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

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

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

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

19. 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 18 above in order to facilitate adequate monitoring arrangements.

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

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

20. The development hereby permitted shall not be occupied or first brought into use, until a copy of the final report required in connection with the approved written scheme of investigation, as required by Conditions 18 and 21, is submitted to and approved in writing by the Local Planning Authority. This final report shall also be submitted to the Lincolnshire Historic Environment Record within three months of completion of the work.

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

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

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

21. No development hereby permitted shall be carried out, other than those works detailed in accordance with the written scheme of investigation approved under Condition 18, until a separate Archaeological Mitigation Strategy for the mitigation phase, has been submitted to and approved in writing by the Local Planning Authority; unless the evaluation undertaken under Condition 18 explicitly demonstrates that archaeological mitigation is not required.

The Archaeological Mitigation Strategy shall set out:

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

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

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

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

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 **Page 52** of 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 Preliminary Ecological Appraisal (PEA) (Rev: A - dated August 2025).

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. Once re-commenced, the works shall be carried out in accordance with the details so approved.

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, water vole surveys, as required by the partnerships Ecologists, shall be carried out on site, and the results of such a survey shall be submitted to and approved in writing by 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 prior to any works being 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. Prior to the commencement of any development beyond oversight, details relating to the installation of swift bricks and bird/bat boxes, including the number, location and specification of those to be installed, shall be submitted to and approved in writing by the Local Planning Authority. The measures so approved shall be implemented in full prior to the first occupation of the development hereby permitted, and shall be retained thereafter.

Reason: To enhance biodiversity.

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

27. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall include all of the following measures unless the LPA dispenses with any such requirement in writing:

i) A preliminary risk assessment (desk study) shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). A full copy of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.

ii) If identified as being required following the completion of the desk-top study, an exploratory site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed end use. A full copy of the site investigation and findings shall be forwarded to the LPA without delay upon completion.

iii) Thereafter, a written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the LPA. This shall include details of the proposed verification plan including compliance criteria and monitoring details.

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 works shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

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

28. If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 27 above and remediation is required, a full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation objectives and criteria has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters.

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

29. Prior to the commencement of any development hereby permitted beyond oversight, details of the installation of fire hydrants shall be submitted to 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. Prior to the first occupation of plots 12-16, 17-21, 25-26 and 37-40 hereby permitted, the refuse and recycling storage areas as shown on dwg no. 102-575 / 001 Rev P and approved under this Decision Notice, shall be carried out and installed, and 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.

31. 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. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

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.

32. 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/OcellarWeb/planningSearch>

33. **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.

34. Please note the following informatives requested by Anglian Water within their consultation response:

- Assets - 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.

- 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.

- 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.

- 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.

- 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.

35. 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>.

36. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>.

Lead Contact Officer

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

Telephone Number:

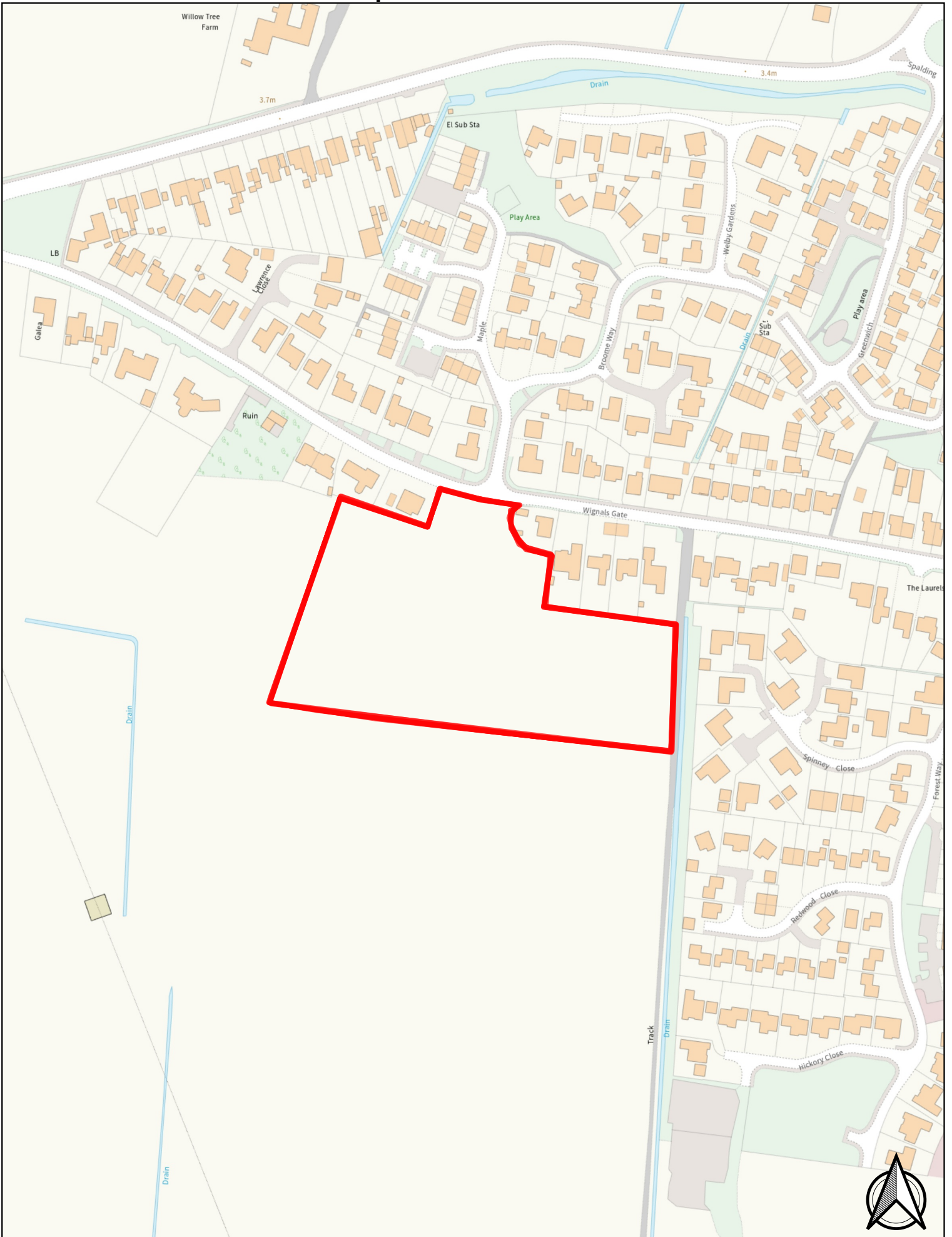
Email: nick.atkinson@sholland.gov.uk

Appendices attached to this report:

Appendix A

This page is intentionally left blank

MapThat Scale Print Title



This page is intentionally left blank

4.1 **The Development Plan**

4.2 South East Lincolnshire Local Plan, March 2019

- 4.3 Policy 01 - Spatial Strategy
Policy 02 - Development Management
Policy 03 - Design of New Development
Policy 04 - Approach to Flood Risk
Policy 07 - Improving South East Lincolnshire's Employment Land Portfolio
Policy 29 - The Historic Environment
Policy 30 - Pollution
Policy 32 - Community, Health and Well-being
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

4.4 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, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.5 National Guidance

4.6 National Planning Policy Framework (NPPF), December 2024

- 4.7 Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
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

4.8 Planning Practice Guidance (PPG)

5.0 **RELEVANT PLANNING HISTORY**

5.1 **Relevant Planning History**

5.2 H16-1725-06: (Full Application) Conversion of building into 9 apartments - approved 06 February 2007

5.3 H16-0631-16: (Full Application) Alterations to front door - approved 07 November 2016

5.4 H16-0101-22: (Full Application) Demolition of rear hall and erection of two storey extension to incorporate ground and first floor halls, kitchen, food bank and function rooms - approved 09 June 2022

6.0 **REPRESENTATIONS**

6.1 **Consultation Responses**

6.2 Responses have been received from the below referenced consultees. The responses are summarised below; however, the responses can be viewed in their entirety on South Holland District Council's website.

6.3 Lincolnshire County Council - Historic Environment: 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.

As the proposal involves internal works to MLI126320 Old Drill Hall (identified in the submitted D&A Statement as a significant unlisted building of merit / local heritage asset due to its Edwardian origins and military history), the South Holland District Council Conservation Officer should be consulted prior to determination, in relation to the potential for direct impacts on the asset's significance and indirect impacts on the character and appearance of the DL110607 Spalding Conservation Area. Given the building's Edwardian date, consultation with The Victorian Society may also be appropriate.

6.4 Conservation Officer: Change of use application involves no physical alterations to the external aspects of this building, therefore, no impact is identified upon the Conservation Area setting. No objections.

6.5 Spalding and District Civic Society: No objections as it appears that the front elevation is unaffected but we presume there will be a later application for the signage.

6.6 Lincolnshire County Council - Highways and SUDS:

First Response (27 February 2026): Please request that the applicant justifies that the parking is sufficient for the nursery use, and clarification of the number of childcare places. Further clarification is also required regarding the staggered drop-off and pick up times, including the number of vehicles at different times during these periods.

Second Response (10 March 2026) The building is in a sustainable location and a proportion of parents and staff are likely to walk, cycle or use public transport to the nursery. I am happy with the justification provided regarding parking and access, the existing access and six on site parking spaces remain unchanged and arrivals and departures will be spread to avoid peak traffic periods. The proposal will not have an adverse impact on the public highway.

6.7 Environmental Protection: No comments.

6.8 Ecology Officer: No response received.

6.9 Tree Officer: No response received.

6.10 Cllr M Hasan: No response received.

6.11 Cllr J A Le Sage: No response received.

6.12 Welland and Deepings Internal Drainage Board: No response received.

6.13 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, 176 representations have been received from members of the public. Most of the representations set out concerns with the proposals as summarised below:

- Another nursery is not needed as the site is next to an existing nursery.
- Traffic and highway safety concerns due to the proximity to Spalding Grammar School and the nursery next to the site.
- Insufficient parking.

Some of the representations set out support for the proposal as summarised below:

- The proposal would provide a place for childcare helping local parents.
- There are no major alterations proposed to the external look of the building which would help keep the historical nature of the building in tact.
- These types of businesses bring in local employment which from what I can see is much needed.

7.0 CONSIDERATIONS

7.1 Key Planning Considerations

7.2 Development Plan

- 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, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.
- 7.6 There are no adopted Neighbourhood Plans for the area within which the site is located.
- 7.7 The main issues and considerations in this case include the following:
- 7.8 -Principle of Development;
-Impact on Heritage Assets;
-Impact on Residential Amenity;
-Highway Safety and Parking;
-Flood Risk; and
-Biodiversity Net Gain.
- 7.9 These matters are assessed in turn below.
- #### 7.10 Principle of Development
- 7.11 Policy 1 of the South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.
- 7.12 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.
- 7.13 The site is within Spalding, which is a sub-regional centre. Policy 1 sets out that within Spalding, development will be permitted that support the roles of the sub-regional centres. The site is considered to be within a sustainable location, within a relatively central position within Spalding. The submission sets out that there is evidence of a demand for additional childcare services within both Spalding and South Holland as a whole.
- 7.14 Paragraph 100 of the National Planning Policy Framework (December 2024) sets out that it is important that a sufficient choice of early years places are available to meet the needs of existing and new communities.

- 7.15 Some of the public representations have set out concerns with the proposals due to the lack of need for an additional nursery, particularly as the site is next to an existing nursery. The applicant is not required to demonstrate a need for additional nursery places as this is not a material planning test that needs to be applied. Therefore, the need for an additional nursery does not need to be established, it only needs to be established if a nursery is an appropriate use for the building. Notwithstanding this, according to data from Lincolnshire County Council, there is an identified shortfall of childcare spaces in South Holland (Childcare Sufficiency Report 2025).
- 7.16 Whilst the proposal would result in the loss of a church, the proposal would provide a nursery which can be viewed as a community facility. Therefore, there is policy support for the proposed nursery within Paragraph 100 of the National Planning Policy Framework (December 2024) and Policies 1 and 32 of the South East Lincolnshire Local Plan (2019) and the principle of development is considered to be acceptable. This is subject to a consideration as to whether the proposed development accords with the development plan and national policy in terms of other material considerations.
- 7.17 Layout, Design and Consideration of the Character and Appearance of the Area and Impact on Heritage Assets
- 7.18 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.
- 7.19 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.
- 7.20 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.
- 7.21 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.
- 7.22 The application site in this instance lies within Spalding Conservation Area in this regard, the National Planning Policy Framework (NPPF) (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.
- 7.23 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".

- 7.24 Paragraph 215 of the National Planning Policy Framework (December 2024) in respect of less than substantial harm identifies that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".
- 7.25 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.26 Policy 29 of the South East Lincolnshire Local Plan (2019) sets out that development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets. Part B of the Policy sets out that proposals within a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting.
- 7.27 No external changes are proposed to the building to facilitate the change of use and as such, when considering the visual impact of the physical built form, no harm would be caused and the proposal, in this regard, would not cause a detrimental impact upon the character of the area.
- 7.28 The proposals could alter the character of the building to an extent, as the proposed change of use could result in people visiting the site more frequently. Notwithstanding this, the surrounding area comprises uses that would result in fairly frequent visits, and a notable footfall. In addition, the site lies within a fairly central location with Spalding. As such, it is not considered that this would have a significant detrimental impact on the character of the site or cause harm to the character, setting or significance of the Conservation Area in which the site is located.
- 7.29 As such, the proposals are considered to accord with Sections 12 and 16 of the National Planning Policy Framework (December 2024) and Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2019).
- 7.30 Impact on Residential Amenity
- 7.31 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.
- 7.32 Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 7.33 The proposal seeks opening hours from 07:30am to 6pm Monday to Friday. The site is not proposed to be open at the weekends, or on bank holidays which would be secured by the imposition of a condition. According to the application form, the proposal will generate 12 full-time positions and 8 part-time positions. The applicant has since clarified that there would be no more than 15 members of staff within the site at any time.
- 7.34 The nursery is expected to provide capacity for 93 childcare places. This does not mean that there would generally be 93 children within the site at any time, as some children will attend morning sessions and other will attend afternoon sessions. Furthermore, not all of the children will go to the nursery every day. The applicant, Clarence House Day Nurseries, has set out that few nurseries run at full capacity.
- 7.35 The proposals would likely result in an increase in the comings and goings to the site; however, the site is currently used as a church and presumably this use results in people entering and leaving the site for religious services on a frequent basis. The nearest dwellings to the site include 23 to 26 Priory Road, which are located to the west of the site, and 6 to 8 Haverfield Road, which are located to the east of the site. The proposals could result in an increase in noise that is generated from the site due to the number of adults and children that would be

within the site, albeit that would not be during noise sensitive hours and times of the day.

- 7.36 Notwithstanding this, it is considered that most of the activities within the site would be contained within the relatively large building within the site and it is not considered that this would result in an unacceptable impact on the amenity of the surrounding residential properties. The hours of operation are considered to be suitable, and these hours can be controlled via a planning condition.
- 7.37 No concerns have been raised by the council's environmental protection team regarding noise generation from the proposals and the team have not recommended any noise mitigation measures.
- 7.38 Therefore, it is considered that the development would have an acceptable impact on the amenity of neighbouring dwellings in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).
- 7.39 Highway Safety and Parking
- 7.40 Paragraph 116 of the National Planning Policy Framework (December 2024) sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.
- 7.41 Policy 2 of the South East Lincolnshire Local Plan (2019) sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.
- 7.42 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.
- 7.43 Policy 36 of the South East Lincolnshire Local Plan (2019), in conjunction with Appendix 6, sets out minimum vehicle parking standards.
- 7.44 This local policy position is reinforced by Paragraph 116 of the National Planning Policy Framework (NPPF) which states that, 'Development should only be prevent 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..'
- 7.45 There are currently 6 parking spaces at the front of the site and no changes are proposed to the existing vehicular access or parking arrangements for the site. Concerns have been raised within the public representations regarding the potential impact of the proposals on the amount of traffic on Haverfield Road. These concerns are partly due to the site's proximity to an existing nursery which is next to the site and Spalding Grammar School.
- 7.46 Initially, Lincolnshire County Council's highways team requested additional information regarding the proposals including the number of childcare places and how drop-off and pickup times will be managed. Additional information was subsequently provided by the applicant.
- 7.47 It has been clarified that the nursery will operate at a maximum capacity of 93 childcare places with a maximum of 15 staff members on site at any time. Staff will generally arrive before and depart after the main parent drop-off and pick-up periods, ensuring that staff travel movements do not coincide with peak arrival times. Staggered drop-off and pick-up times are proposed to be implemented. This is in the interests of the nursery business to help staff members in addition to limiting the impact of the proposals on the nearest dwellings.
- 7.48 Based on travel patterns observed at the applicant's other nursery sites, and given the sustainable and accessible location of the building, it is anticipated that approximately 50% of

staff will travel to work by walking, cycling or public transport, with around one third of parents expected to walk to the nursery. Therefore, a proportion of visitors will be accessing the site on foot and some children will be siblings, meaning that fewer trips would be required.

- 7.49 It is unclear how many people attend the site currently as a place of worship; however, typically it is expected that visitors arrive at fixed times to participate in services and depart at similar times. The nursery is likely to generate trips to and from the site at staggered intervals; however, there might be peak periods such as in the morning or late afternoon. Parents will be allocated flexible arrival and collection windows, which spreads movements across extended periods. In this case, arrivals and departures are likely to occur from 07:30am to 09:30am and 3:30pm to 6pm, with midday transitions for half-day sessions occurring between approximately 12:30 and 1:30pm. For example, some children will attend mornings only or afternoons only. Allowing for short dwell times of approximately 5-10 minutes for drop-off and pick-up, vehicle movements will occur on a rolling basis rather than simultaneously.
- 7.50 Staff vehicles will generally already be parked prior to peak drop-off periods. Vehicle turnover will be continuous throughout arrival windows which should help to avoid a parking build up on Haverfield Road. The number of vehicles on site at any given time is expected to remain within the available 6 parking spaces. During peak periods, staff will be present externally to supervise arrivals and departures, ensuring efficient vehicle turnover and preventing obstruction.
- 7.51 In addition, visitors and staff members could have the option to park within public car parks within the area and walk to the site. For example, Vine Street Car Park and Drapers Place Car Park are approximately a 6-minute walk from the site. These public car parks potentially offer an alternative area to park cars if needed, and are in close enough proximity to the site to be reasonably considered as viable parking options for the site if needed.
- 7.52 LCC's highways team have reviewed the submitted information and consider that the building is in a sustainable location and a proportion of parents and staff are likely to walk, cycle or use public transport to the nursery. The team have not raised any objections to the proposals based on the information provided, nor suggested that the impact of the development upon the surrounding highway network would be severe. Therefore, officers are of the opinion that the proposal would not result in demonstrably severe or adverse highway impacts from either a safety or capacity perspective. As such, the proposal would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3, 33 and 36 of the South East Lincolnshire Local Plan (2019), as well as Section 9 of the National Planning Policy Framework (December 2024) and there is no justifiable reason for the application to be refused on the grounds of highway safety.
- 7.53 Flood Risk and Drainage
- 7.54 Section 14 of the National Planning Policy Framework (December 2024) sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.
- 7.55 The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps. Policy 4 of the South East Lincolnshire Local Plan (2019) allows for certain types of development within Flood Zones 2 and 3 in instances where specific criteria are met.
- 7.56 Policy 2 of the South East Lincolnshire Local Plan (2019) requires proposals to meet sustainable development considerations including in relation to sustainable drainage and flood risk (part 7).
- 7.57 Policy 4 of the South East Lincolnshire Local Plan (2019) requires proposals in Flood Zones 2 and 3 to be supported by sufficient information relating to flood risks associated with the development.
- 7.58 The site is located within Flood Zone 3; however, the development is identified as a 'less vulnerable' use according to Annex 3 of the National Planning Policy Framework (December 2024). As the proposal is for a change of use, it is not necessary for the development to pass the sequential or exception tests in flood risk terms as set out by Paragraph 176 and footnote 62 of the National Planning Policy Framework (December 2024).

- 7.59 Nonetheless, it is still necessary to ensure the proposal meets the requirements for site-specific flood risk assessments, in accordance with Paragraph 176 of the National Planning Policy Framework (December 2024).
- 7.60 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 South East Lincolnshire Local Plan (2019); including the spatial strategy and the assessment of housing and employment sites. Within the SFRA, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk.
- 7.61 Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is not within an identified hazard area. As the proposal is for a minor 'less vulnerable' use, the SFRA recommends that the finished floor levels should be raised as high as practicable (for example 300mm above the existing ground level). It is presumed that this recommendation is for new buildings, rather than for proposals to change the use of existing buildings. In this case, it is not proposed to raise the finished floor levels of the building as the proposal is for a change of use and it would not be practical or feasible to raise the ground levels. The LPA agrees that it would not be practical or reasonable to require the floor levels to be raised and as such, this is not required in this instance and the site has the ability for safe refuge within its upper floors.
- 7.62 As no extensions are proposed, nor are any changes proposed to the site surfacing, the proposals would not increase the impermeable area within the site. As such, the proposals should not increase surface water run off within or from the site.
- 7.63 Therefore, in flood risk and drainage terms, it is considered that the proposed development accords with Policy 4 of the South East Lincolnshire Local Plan (2019) and section 14 of the National Planning Policy Framework (December 2024).
- 7.64 Biodiversity Net Gain
- 7.65 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 (BNG) using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.
- 7.66 "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".
- 7.67 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.
- 7.68 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".
- 7.69 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.
- 7.70 It is considered that the proposal would be exempt from the requirement to provide BNG as no extensions are proposed, nor is any operational development proposed. As such, the proposal is considered to fall under the de minimis exemption.

7.71 **Planning Balance**

7.72 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.

7.73 The proposed development is appropriate and would not materially harm the character or appearance of the locality, or the amenity of nearby residents. The development is acceptable in terms of highway safety and flood risk management. Overall, the proposed development accords with the South East Lincolnshire Local Plan (2019) and the National Planning Policy Framework (December 2024).

7.74 **Additional Considerations**

7.75 Public Sector Equality Duty

7.76 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:

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

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

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

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

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

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

7.78 Human Rights

7.79 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).

7.80 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.

8.0 **RECOMMENDATIONS**

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

approved subject to conditions.

9.0 CONDITIONS

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

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

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

- 1688.01 - Site Location Plan
- 1688.02 - Site Plan
- 1688.04 - Proposed Floor Plan

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

3. The use hereby permitted shall not be open to visitors except between the hours of 07:30 to 18:00 Monday to Friday and not at all on weekends of 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.

4. 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 is considered to fall under the de minimis exemption.

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

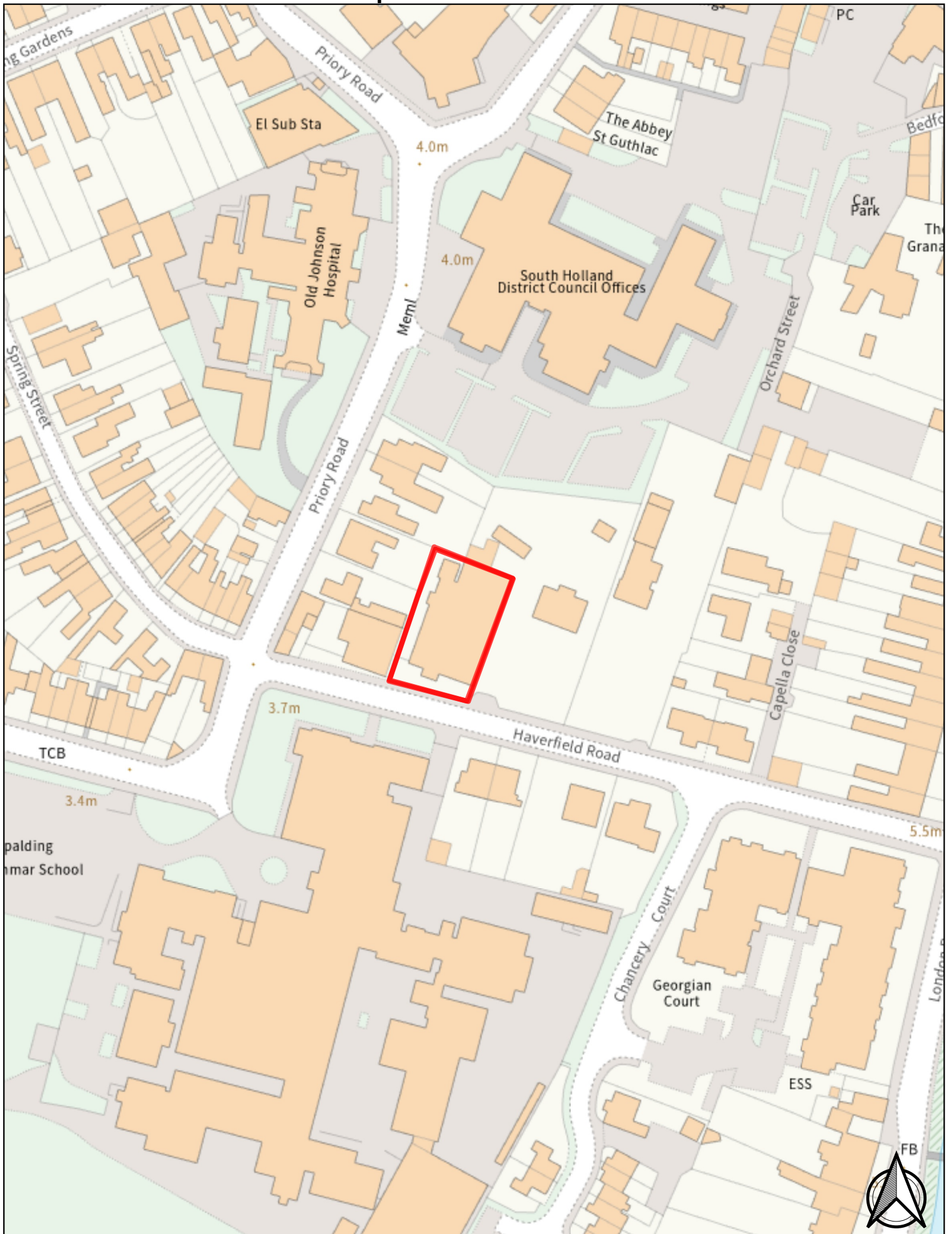
Name and Post: Nick Atkinson - Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:

Email: nick.atkinson@sholland.gov.uk

Appendices attached to this report:

Appendix A - Plan A



SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee - 24 June 2026

(Author: Jess Hill - Senior Planning Consultant)

Purpose: To consider Planning Application H11-0227-26

Application Number: H11-0227-26

Date Received: 10 March 2026

Application Type: S73A CONTINUATION

Description: Change of use of part of existing garden centre (Class E) to use Classes E, F1 & F2 - Retrospective - approved under H11-1210-25. Modification of Condition 2 to amend opening hours and days and modification of Condition 3 relating to garden centre buildings.

Location: Silverwood Garden Centre St James Road Sutton Crosses

Applicant: The Men's Shed (Charity No. 1175464) **Agent:** Cooper Architectural Design

Ward: Long Sutton **Ward Councillors:** Cllr A C Tennant
Cllr J Tyrrell

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H11-0227-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application site is owned by Cllr Tyrrell, who is a member of the Planning Committee. As such, it is deemed necessary for the application to be considered by the Committee.

2.0 PROPOSAL

2.1 The application seeks consent to amend conditions 2 and 3 of permission H11-1210-25. Under permission H11-1210-25, retrospective planning permission was granted for the use of two buildings within the site to be used as community buildings. The buildings are referred to within the location plan as 'Long Sutton Men's Shed' and 'Long Sutton Youth Shed'. The buildings are used by the local community for various activities. No extensions or external alterations were proposed as part of the original application.

2.2 The current application seeks to amend condition 2 by changing the approved opening hours. Consent is also sought to amend condition 3 to allow the retained garden centre buildings to be used under Use Class E by broadening the goods range that is sold within the premises.

3.0 SITE DESCRIPTION

3.1 The site comprises land at Silverwood Garden Centre, located to the south-east of St James Road in Long Sutton. The change of use is proposed within two buildings located on either side of the remaining Garden Centre, diner and retail building. There is a car park area located

within the site and access is taken from St James Road.

3.2 The site is outside the settlement boundary of Long Sutton, as identified by the South East Lincolnshire Local Plan 2011-2036 and accompanying policies map.

3.3 The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

3.4 Sheaf Cottage (grade II listed) is located to the north of the site, on the opposite side of St James Road

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

4.2 South East Lincolnshire Local Plan, March 2019

4.3 Policy 01 - Spatial Strategy
Policy 02 - Development Management
Policy 03 - Design of New Development
Policy 04 - Approach to Flood Risk
Policy 24 - The Retail Hierarchy
Policy 30 - Pollution
Policy 32 - Community, Health and Well-being
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

4.4 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, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.5 National Guidance

4.6 National Planning Policy Framework (NPPF), December 2024

4.7 Section 4 - Decision-making
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

4.8 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H11-0849-02: (Full Application) Change of use from agricultural nursery to nursery/garden centre, plus additional access and car parking facilities - approved 24 September 2002

5.2 H11-0595-03: (Full Application) Change of use of packhouse to cafe and shop in association with existing garden centre - approved 22 July 2003

5.3 H11-1106-05: (Full Application) Proposed shop unit in association with existing garden centre, relocation of compound and proposed new access - approved 06 October 2005

5.4 H11-0692-07: (Full Application) Earth bank - refused 19 July 2007

- 5.5 H11-0022-07: (Full Application) Kitchen extension to existing cafe - approved 05 March 2007
- 5.6 H11-0792-21: (Full Application) Conversion of packhouse building into dwelling including alterations - approved 01 November 2021
- 5.7 H11-0686-10: (Section 73A Continuation) Extension to cafe opening hours - Monday to Saturday inclusive until 22:00 hours - refused 15 October 2020 - appeal dismissed 26 April 2011
- 5.8 H11-1210-25: (Full Application) Change of use of part of existing garden centre (Class E) to use Classes E, F1 & F2 - Retrospective - approved 18 February 2026

6.0 REPRESENTATIONS

6.1 Consultation Responses

6.2 Responses have been received from the below referenced consultees. The responses are summarised below; however, the responses can be viewed in their entirety on South Holland District Council's website.

6.3 Long Sutton Parish Council: The Council strongly oppose the application and ask that the application be withdrawn and a new application should be submitted removing the Youth Shed building. Any removal of Condition 3 should be specifically applied to the "MEN's Shed" building only and not "The retained garden centre buildings". Leasing evidence should be provided for the businesses within the site. The Parish Council oppose the amendments to Condition 2 of H11-1210-26 relating to the opening hours of the Men's Shed.

6.4 Environmental Protection: No comments.

6.5 Cllr A C Tennant: No response received.

6.6 Cllr J Tyrell: No response received.

6.7 Cllr D J Wilkinson: No response received.

6.8 Public Representations

6.9 This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, one representation has been received from a member of the public. The following summarises the response:

- The owner and the manager of Silverwood Garden Centre wish to establish an out of town shopping and business centre at this location, in direct contravention of Condition 3 above and in direct contravention of both local and national planning policies. Therefore, the proposal could undermine Long Sutton town centre and other town centres.

- The reason given for applying condition 2 of permission H11 0849 -02 is identical to the reason given for condition 3 of permission H11-1210-25. Based on a review of the site planning history, the LPA has always been of the opinion that Silverwood Garden Centre is not a correct location for the sale of the wide range of goods now allowed under Use Class E, and should be restricted to the sale of garden products, domestic horticultural requisites and horticultural produce. It would be strange to say the least if the LPA now took the opposite view.

7.0 CONSIDERATIONS

7.1 Development Plan

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that

the Local Planning Authority (LPA) makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

- 7.3 The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.
- 7.4 The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.
- 7.5 There are no adopted Neighbourhood Plans for the area within which the site is located.
- 7.6 The main issues and considerations in this case include the following:
- 7.7 -Evaluation of Proposals Under Section 73;
-Proposed Changes to Condition 2;
-Proposed Changes to Condition 3; and
-Biodiversity Net Gain.
- 7.8 These matters are assessed in turn below.
- 7.9 Evaluation of Proposals Under Section 73
- 7.10 The proposal relates to the variation of conditions 2 and 3 of permission H11-1210-25, through seeking permission under Section 73 of the Act. The purpose of an application made under Section 73 of the Town and Country Planning Act 1990 is to vary or remove conditions associated with an existing planning permission. These applications are used to allow for amendments to an approved scheme and can be made both retrospectively and prior to a permission being implemented, as long as the permission is extant.
- 7.11 The Act is very clear that: "On such an application the Local Planning Authority (LPA) shall consider only the question of the conditions subject to which planning permission should be granted." As such, the LPA are not able to revisit the principle of development and only matters relevant to the specific conditions can be considered. The effect of granting permission would be to issue a new permission with the relevant conditions amended, together with any other relevant conditions from the original permission, or subsequent relevant revisions since this permission.
- 7.12 Planning Practice Guidance (PPG) highlights that where less substantial changes are proposed, amending a proposal can occur through "Amending the conditions attached to the planning permission, including seeking to make minor material amendments".
- 7.13 The PPG clarifies that "Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted". There is no statutory definition of a 'minor material amendment'; but this is likely to include any amendments where its scale and/or nature results "in a development which is not substantially different from the one which has been approved".
- 7.14 In this instance, the subsequent amendments, submitted under this Section 73 application, have not varied the description of development. The nature of the changes proposed through the current application are also considered to be within the scope of the original permission(s) granted, in that they would not fundamentally alter or materially change the nature of the development as approved.
- 7.15 In the case of R (Vue Entertainment Limited) v City of York Council, it was concluded that the decision gives clear support for use of s.73 in respect of changes to condition which go beyond

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

7.16 Proposed Changes to Condition 2

7.17 Condition 2 of permission H11-1210-25 was worded as follows:

"The use hereby permitted shall not be open to visitors except between the hours of 8:30am to 5:30pm Monday to Friday, and not at all on Saturdays, Sundays or 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."

7.18 These opening hours were set out within the planning condition as these were the hours that were proposed within the submitted application form for application H11-0227-26. Although the application only sought approval to change the use of two of the buildings within the site to community buildings, the location plan for the proposal included the wider garden centre site, including the central garden centre building. As such, it was considered appropriate to restrict the opening hours of the site in line with the suggested hours that were specified within the submitted application form.

7.19 The current proposal seeks to update the condition to clarify separate opening hours between the community use buildings and the main garden centre building within the site. There are other ancillary garden centre buildings within the site; however, it is not considered that these buildings are generally open to the public and as such, these buildings are not specifically referred to.

7.20 Condition 2 is proposed to be re-worded as follows:

"The buildings labelled as 'Long Sutton Youth Shed' and 'Long Sutton Men's Shed' on approved plan SW-25-01 shall not be open to customers / visitors except between the hours of:

8am and 1pm on Tuesdays, Thursdays and Sundays.

The building labelled as 'Silverwood Garden Centre, Diner & Shops' shall not be open to customers / visitors except between the hours of:

8am and 5pm on Mondays to Saturdays (inclusive).

10am and 4pm hours on Sundays and Bank/Public 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."

7.21 As such, the proposed opening hours of the Long Sutton Youth Shed and Long Sutton Men's Shed buildings would be more restrictive under the current application than previously allowed for under the most recent approval as the buildings would only be open on 3 days of the week, rather than on 5 days per week. Therefore, the impact of the proposal would not be greater than the previous approval which was found to be acceptable by the Council. The proposal would result in an overall lower impact by virtue of more restricted opening hours, and would not introduce any new or increased considerations that were not previously assessed as being acceptable, nor any new matter not previously considered under the original scheme. As such, there would be no new considerations or resultant impacts upon the overall character of the site, or to any third parties or members of the public who would be adversely prejudiced by this change.

7.22 The hours for the garden centre building would change from 8:30am to 5:30pm Monday to Friday, to 8:00am to 5pm Monday to Saturday. As such, the building is proposed to be open half an hour earlier than the condition previously allowed for; however, the building would also be closed half an hour earlier. The other change is the proposed opening hours on Saturdays;

however, these hours are also considered to be acceptable. It is likely that the LPA would have accepted these hours as part of the determination of application H11-1210-25 had they been requested. Furthermore, it is noted that the approved opening hours for the garden centre within the site were originally set out within condition 4 of permission H11-0849-02 and included 8am to 5pm Mondays to Saturdays, and 10am to 4pm on Sundays and Bank / Public Holidays. Therefore, the original permitted opening hours were longer than the currently proposed opening hours.

7.23 As set out previously, concerns have been raised by Long Sutton Parish Council and within the public representation regarding the proposed opening hours; however, for the reasons outlined above, the proposed opening hours are considered to be suitable for the location. For example, the opening hours are not considered to be excessively long nor would they extend late into the evening or very early in the morning. The proposed uses are not considered likely to generate significant levels of noise and the Council's environmental protection team have not raised any concerns in terms of noise generation from the proposals nor have they requested any noise mitigation measures. Whilst there is a dwelling located to the east (Silverwood House) and a dwelling located to the south-west of the site (Thistle House), most of the nearby dwellings are located on the opposite sides of the roads that adjoin the site which provide a degree of separation between the site and most of the nearby dwellings. As such, whilst the concerns of the Parish Council and the public representation have been taken into account, it is considered that the proposed changes to condition 2 are acceptable.

7.24 Proposed Changes to Condition 3

7.25 Condition 3 was worded as follows:

"The retained garden centre buildings shall only be used for the sale of horticultural produce, garden related products and other domestic horticultural requisites, as a cafe, and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to those classes in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To ensure the goods range is restricted and does not conflict with national and local policy that directs unrestricted retail outlets towards town centres. This Condition is imposed in accordance with Policy 24 of the South East Lincolnshire Local Plan, 2019."

7.26 The current application seeks to revise the wording of condition 3 to remove the following text: "shall only be used for the sale of horticultural produce, garden related products and other domestic horticultural requisites, as a cafe, and for no other purpose". Instead, the proposal seeks to insert the following wording: "the retained garden centre buildings shall be used for no other purpose than those set out in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987."

7.27 Condition 3 was included within permission H11-1210-25 largely because the condition was included with the original permission for the site that was granted under application H11-0849-02 in 2002. As the location plan included the garden centre buildings, it was considered appropriate to include the condition again in the interests of clarity. For example, the original permission was granted specifically for a garden centre rather than as a general retail unit and this appears to have been due to the site's location outside of a town centre and within the countryside.

7.28 The wording was revised from the original wording to allow for an ancillary cafe as it was understood that there was an ancillary cafe within the building.

7.29 Planning permission was originally granted under permission H11-0849-02 for the site to be used as a garden centre in 2002. At that time, there was a different development plan in place and different national policies. Notwithstanding this, the site was within the countryside in planning policy terms at that time and as such, there appears to have been a presumption against retail development outside town centres, as is the case under the current development plan and the NPPF.

7.30 Garden centres can be a justifiable form of retail outside of town centres due to their operational

needs, such as the need for space to grow plants. Evidently, the garden centre was deemed to be an acceptable form of retail within this location; however, it was deemed necessary to restrict which goods could be sold to ensure the site remained in use as a garden centre rather than for more general retail purposes.

- 7.31 Under permission H11-0849-02, the proposed use of the site fell under Use Class A1, as identified within condition 2 of the original permission. Use Class A1 covered general retail uses and as such, condition 2 of the permission was included to restrict the use as a garden centre by restricting which type goods could be sold within the site.
- 7.32 Since permission H11-0849-02 was granted, there have been various changes to the Use Classes Order, including the introduction of Use Class E in September 2020. Use Class E amalgamated several previous use classes (A1, A2, A3, B1 and parts of D1 and D2) into a single classification. Therefore, Use Class E includes retail sites in addition to a variety of other uses.
- 7.33 Garden centres generally fall under Use Class E or they are identified as a sui generis use. Determining the use class of a garden centre depends on various factors such as their daily usage, the scale of operations and the range of products that are sold. Garden centres generally fall under Use Class E if they are predominantly used as retail sites for visiting members of the public. Garden centres can be considered as a sui generis use where their character is more heavily influenced by agricultural activities. For example, within sites that are primarily used for growing, propagating and selling plants rather than being used principally for public retail, these site are typically considered to fall under the sui generis Use Class.
- 7.34 In this case, it is understood that the garden centre is principally used for retail in addition to other ancillary uses such as a cafe and a hairdressers. Therefore, it is considered that the garden centre within the site falls under Use Class E.
- 7.35 The current proposal seeks to remove the restrictive wording of the condition which prevents any goods other than "horticultural produce, garden related products and other domestic horticultural requisites, as a cafe". The proposal seeks to instead allow the site to be used more generally under Use Class E.
- 7.36 It is considered that as the original permission was for a garden centre, the site should be retained principally as a garden centre. This is because the retail hierarchy for the district seeks to encourage retail firstly within Sub-Regional Centres, then within District and Local Centres; and subsequently outside the retail hierarchy where retail uses can be justified. The site is outside the retail hierarchy and as such, more general retail uses would generally need to pass a sequential test in order to be justified. The principle of general garden centre sales in this rural locality has previously been considered acceptable by the LPA. Furthermore, it is generally accepted throughout the district and at a national level that garden centres often need to be located outside of settlements and outside of primary retail centres. As such, the change proposed by this application is considered to be acceptable.
- 7.37 Therefore, it is instead considered appropriate to insert the following wording at the beginning of the condition: "With the exception of an ancillary hairdressers, tanning salon and cafe". This would allow for ancillary uses, but still restrict the site principally to its original purpose as a garden centre.
- 7.38 Concerns have been raised within the public representations regarding the proposed change to Condition 3 partly due to concerns that this would undermine the retail hierarchy within the district and allow for an alternative retail use within the site. With the revised wording, it is considered that the proposals would not undermine the retail hierarchy of the district.
- 7.39 Biodiversity Net Gain
- 7.40 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 (BNG) using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

- 7.41 "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".
- 7.42 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.
- 7.43 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".
- 7.44 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.
- 7.45 It is considered that the proposal would be exempt from the requirement to provide BNG as no extensions are proposed, nor is any operational development proposed. As such, the proposal is considered to fall under the de minimis exemption.
- 7.46 **Planning Balance**
- 7.47 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.
- 7.48 The proposed development is appropriate and would not materially harm the character or appearance of the locality, or the amenity of nearby residents. Overall, the proposed development accords with the Local Plan and the NPPF.
- 7.49 **Additional Considerations**
- 7.50 Public Sector Equality Duty
- 7.51 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:
- 7.52 A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- 7.53 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).
- 7.54 C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 7.55 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.56 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.

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

7.58 Human Rights

7.59 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).

7.60 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.

8.0 RECOMMENDATIONS

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

9.0 CONDITIONS

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

- SW-25-01 - Site & Location Plans

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

2. The buildings labelled as 'Long Sutton Youth Shed' and Long Sutton Men's Shed' on approved plan SW-25-01 shall not be open to customers / visitors except between the hours of:

- 8am and 1pm on Tuesdays, Thursdays and Sundays.

The building labelled as 'Silverwood Garden Centre, Diner & Shops' shall not be open to customers / visitors except between the hours of:

- 8am and 5pm on Mondays to Saturdays (inclusive).
10am and 4pm hours on Sundays and Bank/Public 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.

3. With the exception of an ancillary hairdressers, tanning salon, and cafe as existing on site, the retained garden centre buildings shall only be used for the sale of horticultural produce, garden related products and other domestic horticultural requisites, and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to those classes in any statutory instrument revoking and re-enacting that Order, with or without modification), unless comprising an ancillary use associated with the garden centre use.

Reason: To clarify the proposed Use Class within the site.

This Condition is imposed in accordance with Policy 24 of the South East Lincolnshire Local Plan, 2019.

4. 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>

5. 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 is considered to fall under the de minimis exemption.

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



This page is intentionally left blank

Agenda Item 8.

SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee - 24 June 2026

(Author: Oscar Patman - Planning Officer)

Purpose: To consider Planning Application H09-0302-26

Application Number: H09-0302-26

Date Received: 30 March 2026

Application Type: FULL

Description: Demolition of existing domestic bungalow and garages and erection of tractor storage shed for use to maintain Holbeach Parish Council Park and surrounding areas of Holbeach

Location: Park Bungalow Park Road Holbeach

Applicant: Holbeach Parish Council

Agent: G R Merchant Ltd

Ward: Holbeach Town

Ward Councillors: Cllr S E Hutchinson
Cllr T Carter
Cllr N J Chapman

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-0302-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application relates to land in which South Holland District Council has an interest.

2.0 PROPOSAL

2.1 This is a full planning application for the demolition of a residential dwelling, and the erection of a store for groundskeeping equipment at Park Bungalow, Holbeach. The equipment store would be used for the storage of a tractor and other groundskeeping equipment used for the maintenance of the adjacent Carter's Park and the maintenance of other areas of Holbeach, by the Parish Council.

2.2 The proposed store would measure 13.5m by 10.7m. To the eaves it would measure 3.5m, rising to 4m at its apex. The building would be constructed of metal sheeting, in Moorlane green. Two roller shutter steel doors are proposed and a pedestrian access.

2.3 The existing garden would be used as a biodiversity net gain area.

3.0 SITE DESCRIPTION

3.1 The site is within the settlement boundaries of Holbeach, as outlined within the South East Lincolnshire Local Plan, 2019. The site is adjacent to the defined town centre of Holbeach, abutting the Conservation Area. The dwelling is located between the Boston Road car park (which serves as one of the main public parking facilities for the town) and Carter's Park.

3.2 The positioning of the existing dwelling makes it somewhat anomalous within an area of primarily commercial or recreational uses. The dwelling is a moderately sized bungalow, fairly typical in design.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

4.2 South East Lincolnshire Local Plan, March 2019

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

4.4 Policy 01 - Spatial Strategy
Policy 02 - Development Management
Policy 03 - Design of New Development
Policy 04 - Approach to Flood Risk
Policy 28 - The Natural Environment
Policy 29 - The Historic Environment
Policy 33 - Delivering a More Sustainable Transport Network
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

4.5 National Policy and Guidance

4.6 National Planning Policy Framework (NPPF), December 2024

4.7 Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

4.8 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H09-0781-24 - Full - Change of use from residential dwelling to offices with outbuildings to be used for storage - Approved 14-01-25

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:

SELCP Ecologist

Ecological Considerations:

- The applicant has provided thorough ecological documentation therefore in my judgement providing sufficient ecological data to determine this application.
- We support all mitigation and enhancement recommendations provided on page 3 of the BNG Assessment and request that they are required by condition.
- We believe that the habitats on site have the potential to support nesting birds. It is an offence under Section 1 of the Wildlife and Countryside Act of 1981(WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. Therefore, we request a condition requiring that: Works should not be carried out in the main nesting season (March 1st - August 31st). If not possible then a suitably qualified ecologist must perform a breeding

bird survey of the site prior to any works beginning onsite. Any active nests discovered during inspections will be protected with a suitable exclusion buffer (of appropriate size to the species) to prevent disturbance and monitored until the nest is no longer active / all chicks have fledged, when the ecologist will provide a sign off for clearance work to continue.

- As this application includes the demolition of a building, we request that a condition is included at discharge to prevent any harm or disturbance to potential bats on site, with wording along the following lines:

- If any bats or bat droppings are discovered on site at any stage of development or construction, all works must cease immediately. A suitably qualified and licensed ecologist must be consulted to undertake a survey and prepare appropriate mitigation measures to avoid any unlawful disturbance to bats.

- We request that the following habitat enhancements be implemented into the development plans

-We request that a minimum of 1 wall, tree or pole mounted bird box and 1 bat box are also included on site to help mitigate habitat loss. These are required to enhance biodiversity and to be in line with Local Plan Policy 7.2.14.

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

BNG Comments and Notes to applicant:

- While we are confident that a 10% net gain can be achieved for this site, we have some comments on the BNG proposals for this application, as set out below.

- We request that the retained vegetated land to the north of the site is amended from 'retained vegetated garden' to an alternative vegetated habitat to be created, as the land will no longer be associated with a dwelling.

- We recommend that this land is classified as either 'modified grassland (moderate condition)' or 'ruderal/ephemeral (moderate condition)'. Either habitat type would achieve a 10% BNG for this site. Specific BNG condition request

- We will require a biodiversity gain plan and finalised metric to be provided pre-commencement.

6.2 South Holland Internal Drainage Board

Outline when consent from the Board would be required.

6.3 Conservation Officer

We have no objection to the proposal regarding heritage. It is thought that the shed maybe lower in height than the existing dwelling which would be a positive. While there may be limited views from the Conservation Area, the use of green metal sheeting is considered appropriate and would help the structure blend with the surrounding vegetation. Furthermore, the direct surrounding area is mainly modern development and car parking, thus it is unlikely that the proposal would not result in any additional harm to the character or appearance of the area.

6.4 Highway and Lead Local Flood Authority

No objection - Demolition of existing domestic bungalow and garages and erection of tractor storage shed for use to maintain Holbeach Parish Council Park and surrounding areas of Holbeach. The proposal does not have an adverse impact on the Public Highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

6.5 Environmental Protection - Noise

Working hours restrictions of 7:30-18:00 Mon-Friday 8:00-13:00 Saturday should be imposed for the demolition, construction and operating phases to protect amenity of nearby resident.

6.6 Environmental Protection - Pollution

No comments regarding land contamination.

6.7 Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, one letter of representation has been received.

6.8 This can be summarised as:

- Raises a query regarding ownership of adjacent park.
- Land the bungalow sits on may be beneficial for other uses, such as toilets or a car park.

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 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.

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

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

7.10 The Council, as of 31st March 2025, can demonstrate a housing land supply in excess of the required 5 years. As such, the loss of a single dwelling, which at time of writing is vacant, would have no significant detrimental impact upon the housing position of the District. In any event, under H09-0781-24, permission has been granted for the change of use of the bungalow to offices, meaning that the domestic use of the site may be lost regardless of the outcome of this application. In light of this, only minimal weight is attached to this point.

7.11 The proposed use would benefit the adjacent park and community facilities throughout Holbeach. Whilst not a community facility itself for the purposes of Policy 32 of the SELLP, it

would facilitate the proper use of community facilities, thereby creating a clear benefit to the local residents.

- 7.12 The proposal would therefore help to support Holbeach's role as a service centre and help to sustain existing facilities. The principles of Policy 1 therefore have been met, and the proposal is considered to be acceptable in principle.
- 7.13 Layout, Design, Scale and Consideration of the Character of the Area
- 7.14 Policy Context
- 7.15 Section 12 of the NPPF, "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.
- 7.16 Paragraph 135, contained within Section 12 of the NPPF, 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.
- 7.17 Likewise, Policy 2 of the SELLP 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 SELLP 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.
- 7.18 These policies accord with the provisions of the NPPF 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.
- 7.19 The site lies outside of, but adjacent to, Holbeach Conservation Area. Views between the two are limited, but are present.
- 7.20 In respect of any buildings or other land in or which impacts the 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.
- 7.21 The 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.
- 7.22 Section 16 of the NPPF 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".

- 7.23 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"
- 7.24 Policy 29 of the SELLP (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 NPPF. 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 part B relevant here.
- 7.25 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, roofscape, skyline and landscape;"
- 7.26 To this end, all proposals which impact upon the Conservation Area or which affect listed buildings should preserve or enhance their settings.
- 7.27 Assessment
- 7.28 The proposed building is utilitarian, of no architectural or visual merit. The design is comparable to a small scale agricultural shed, rather than a typical urban building. There is a clear juxtaposition between the existing urban built form, characterised by brick built structures, and the proposed store.
- 7.29 That being said, visibility of the structure would be limited. Views primarily would be obtainable from Carter's Park, where it would be viewed within the context of its surroundings and as a maintenance building, and the nearby carpark, which itself is not an overly sensitive area. Views from the Conservation Area are almost entirely blocked by the existing built form, preventing a significant impact. On this basis, despite the apparent juxtaposition, the tangible impacts are low.
- 7.30 Moreover, the proposed building would have a lower height than the existing bungalow. This would further reduce the visibility of the structure, in comparison to the existing built form, lessening the impact.
- 7.31 On balance, whilst the design is of no quality and does not benefit the area, it equally does not give rise to harm to the area either. The proposal is not considered to cause harm to the significance of the heritage asset.
- 7.32 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 would the proposal cause harm to the significance of the Conservation Area. Therefore, the proposal would be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan and Section 12 and 16 of the National Planning Policy Framework, December 2024.

7.33 Impacts Upon Resident Amenity

- 7.34 Paragraph 135 of the NPPF 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.
- 7.35 Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 7.36 The site abuts commercial areas and a park. As such, it is not a sensitive area and the potential amenity impacts are reduced accordingly. The comments from the Environmental Protection Officer regarding limitations of hours are noted. Whilst these hours are considered appropriate for the construction and demolition phases, the nature of the proposed use would make these hours impractical for operation purposes. The nature of the use means disturbances are likely to be infrequent and low noise generating (particularly given the fact that the building simply stores equipment and the noise impact would occur off site), preventing a significant amenity impact; however, hours of access might have to be more extensive than a conventional use as emergency works or the sourcing of equipment may be required at other times.
- 7.37 On that basis, it would be ineffectual and excessive to apply the recommended restrictions on hours of operation once the development is complete.
- 7.38 A condition restricting the use of the building for maintenance purposes is recommended.
- 7.39 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 South East Lincolnshire Local Plan in terms of impact upon residential amenity.
- 7.40 Highway Safety and Parking
- 7.41 Section 9 of the NPPF 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".
- 7.42 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.
- 7.43 The proposal may, to some extent, result in an increase in comings and goings from the site, depending upon the need to access the building. Notwithstanding this, the nature of the use is such, that the movements to and from the site are not considered to give rise to an unacceptable impact.
- 7.44 Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards.
- 7.45 As a maintenance building, there is no specific need for onsite parking. Moreover, the site is immediately adjacent to a public car park, which would likely meet the needs of most maintenance staff.
- 7.46 The proposal would therefore be acceptable and would not have an unacceptable adverse

impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the South East Lincolnshire Local Plan, as well as Section 9 of the National Planning Policy Framework, December 2024.

7.47 Flooding Considerations

- 7.48 Section 14 of the NPPF 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".
- 7.49 Paragraph 174 of the NPPF 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.
- 7.50 Paragraph 175 of the NPPF 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)."
- 7.51 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 NPPF. 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"
- 7.52 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.
- 7.53 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 SELLP 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.
- 7.54 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.
- 7.55 Within the SFRA the site is classed as low hazard, with a hazard depth of 0.25m.
- 7.56 The intention is for the building to be used for the maintenance of Carter's Park. There is therefore a functional necessity for the development to be located here. In line with Paragraph 177 of the NPPF, the exceptions test is required.
- 7.57 Paragraph 178 of the NPPF 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."

- 7.58 Beginning with strand b, the development by its nature would be safe for its lifetime. The use is not considered to be vulnerable to the impacts of flooding (in line with Annex 3 of the NPPF) and the nature of the use means there would be no impact to life or property should a flood occur.
- 7.59 Turning to strand a, the development would enable the proper maintenance of the community facilities and green space in the Holbeach area. There is a clear community benefit that outweighs the risk of flooding. Therefore, the exceptions test is considered to be passed.
- 7.60 Overall, when considering the development on balance, it is considered 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.
- 7.61 Biodiversity Net Gain
- 7.62 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.
- 7.63 "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".
- 7.64 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.
- 7.65 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.
- 7.66 The proposal is not considered to be exempt from the need for net gain. The submission has included the proper metric, which demonstrates a net gain of area habitat by 25.97% and of hedgerow units by 35.25%. The principle of the proposed measures are therefore considered acceptable.
- 7.67 The comments from the Ecologist relating to protected species are noted. These have been addressed via condition.
- 7.68 Outstanding Matters from Representation
- 7.69 The resident comments regarding other potential uses for the land are noted; however, the nature of the planning system is such that an application could not be resisted in this instance in favour of a potential alternative use where there is no evidence of an alternative intent.
- 7.70 **Planning Balance**
- 7.71 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.

- 7.72 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, does not cause harm to the significance of the Conservation Area, and provides adequate parking, 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.
- 7.73 **Additional Considerations**
- 7.74 Public Sector Equality Duty
- 7.75 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.
- 7.76 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.77 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.
- 7.78 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.
- 7.79 Human Rights
- 7.80 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).
- 7.81 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.
- 7.82 **Conclusion**
- 7.83 Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 28, 29, 33 and 36 of the South East Lincolnshire Local Plan, as well as Sections 9, 12, 14, 15, 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 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:

- 4462-25 01B - Floor Plans Proposed, Elevations Proposed, Site & Location Plans
- PB-EL-004(a) - Existing Elevations of Bungalow (South West & South East Elevations)
- PB-EL-004(b) - Existing Elevations of Bungalow (North West & North East Elevations)
- Preliminary Ecological Appraisal, prepared by KJ Ecology Ltd, dated March 2026
- Biodiversity Net Gain Assessment, prepared by GR Merchants, dated March 2026
- Flood Risk Statement, prepared by Ellingham Consulting Ltd, dated 26th March 2026
- Pre-Development Plan Baseline Map
- Small Sites Metric

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

3. The materials of the external surfaces (including brickwork, finish, roof tiles and windows) of the development hereby permitted shall be carried out in accordance with the details outlined within the application form and approved plans.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any Order or Statutory Instrument revoking and re-enacting that Order), the premises shall be used only for the storage of equipment to be used for the maintenance of parkland or grounds maintained by Holbeach Parish Council, and for no other purpose (including any other purpose in Class(es) B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended), or in any Order or Statutory Instrument revoking and re-enacting that Order).

Reason: To ensure that the Local Planning Authority retains control over the future use of the premises/site in the interests of residential amenity.

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

5. The demolition of the existing dwelling, and associated buildings, and the works required for the erection of the storage building hereby approved shall only be undertaken between the hours of 07:30 and 18:00 Monday to Friday and between 08:00 and 13:00 on Saturdays.

Reason: In the interest of residential amenity

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

6. 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 scheme of mitigation relating to nesting birds shall be submitted to, and approved in writing by, the Local Planning Authority; unless said works or clearances occur between 1st September and 28th February.

Reason: In the interest of the protection of habitat and nesting birds

This condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019, and the Wildlife and Countryside Act 1981

7. If any bats or bat droppings are discovered on site at any stage of development or construction, all works must cease immediately. A suitably qualified and licensed ecologist must be consulted to undertake a survey and prepare appropriate mitigation measures to avoid any unlawful disturbance to bats. The mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any works recommencing on site and the development shall be continued in accordance with the details so approved.

Reason: In the interest of the protection of habitat and protected species

This condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019, and the Wildlife and Countryside Act 1981

8. 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.

9. 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.

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.

10. 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>

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

12. 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



Agenda Item 9.

SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee - 24 June 2026

(Author: Oscar Patman - Planning Officer)

Purpose: To consider Planning Application H16-0327-26

Application Number: H16-0327-26

Date Received: 01 April 2026

Application Type: ADVERTISEMENT

Description: Proposed Information Board relating to Cattle Sculptures

Location: Pavement Adj. 5 New Road Spalding

Applicant: Spalding & District Civic Society

Agent: Spalding & District Civic Society

Ward: Spalding Castle

Ward Councillors: Cllr G J Taylor

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0327-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application relates to land in which South Holland District Council has an interest.

2.0 PROPOSAL

2.1 This is an advertisement consent application, seeking consent for the installation of an information board relating to the existing cattle sculptures outside 5 New Road, Spalding.

2.2 The sign would be constructed of stainless steel, and would measure 420mm by 297mm. It would be located on an existing planter.

3.0 SITE DESCRIPTION

3.1 The site is within the town centre boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located in front of the Longstaff estate agent building. There are several planters and two large cow sculptures located on the site.

3.2 The site is within a central position of the Spalding Conservation Area (SCA) and is within visual range of a number of listed buildings, including the directly adjacent block of 3-5 New Road, which is group comprising a grade II listing, the grade II listed Black Swan Public House grouping, 39 New Road, 24 Hall Place and the Punch Bowl Inn.

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

Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 29 - The Historic Environment
Policy 33 - Delivering a More Sustainable Transport Network

4.4 **National Policy and Guidance**

4.5 National Planning Policy Framework (NPPF), December 2024

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

4.6 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 Application Site

5.2 H16-0878-24 - Full - Proposed fixed stone cattle sculptures - Approved 18/12/24.

5.3 Related Development

5.4 H16-0328-26 - Advertisement - Proposed Information Board relating to Sheep Sculptures - Ongoing

6.0 REPRESENTATIONS

6.1 Conservation Officer

The proposed interpretation signage relating to the sculptures representing the location of the historic cattle market is supported. The size, design, and siting of the board are considered appropriate. To ensure the information is presented in a clear and straightforward manner and can be easily understood by a wide audience, a simplified wording is suggested as follows: The sculptures depict Lincoln Red cattle, represented through the use of red sandstone. This ancient breed was once common in the area and used for milk and beef production; however, numbers have since declined, and the breed is now classified as rare

6.2 Highway and Lead Local Flood Authority

"No objections - The advertisement proposals will not present a danger or distraction for road users therefore the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to Highway Safety. This may be subject to a permit from the local authority as it is within the public highway"

Proceeds to recommend the following informative condition:
Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link:
<https://www.lincolnshire.gov.uk/roads-transport/signs-tourist-attractions-facilities/5>.

6.3 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 Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

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, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.6 Layout, Design, Scale and Consideration of the Character of the Area and Heritage and Conservation

7.7 Policy Context - Design

7.8 Section 12 of the NPPF, "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.

7.9 Paragraph 135, contained within Section 12 of the NPPF, 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.

7.10 Paragraph 141 of the NPPF states: "The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

7.11 Likewise, Policy 2 of the SELLP 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 SELLP 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.

7.12 These policies accord with the provisions of the NPPF 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.

7.13 Policy Context - Heritage

7.14 The site is within Spalding Conservation Area, within a line of sight of numerous Grade II listed buildings.

7.15 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.

7.16 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.

7.17 The 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.

7.18 Section 16 of the NPPF 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".

7.19 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"

7.20 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 NPPF. 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.

7.21 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."

7.22 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 distinctive mass 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, roofscape, skyline and landscape;"

7.23 To this end, all proposals in the Conservation Area or which affect listed buildings should preserve or enhance their settings.

7.24 Assessment

7.25 The sign is small and is located on an existing planter. The small scale means that it would not be overly noticeable when traversing the street, and the positioning on existing street furniture prevents the advertisement from being overly intrusive. The sign reads as a natural addition to the existing street furniture in the area.

7.26 The use of stainless steel is appropriate in the Conservation Area. The material is typical of these informative signs and in keeping with wider palette of the immediate area.

7.27 The comments of the Conservation Officer with regards to alternative wording are noted; however, it is not for the Planning Authority to dictate the wording of information boards or signage generally.

7.28 Overall, the proposed advertisement would not give rise to an adverse impact upon the character of the area, or cause harm to the significance of the Conservation Area or nearby listed buildings. As such, the proposed advertisement is in accordance with policy 2, 3 and 29 of the South East Lincolnshire Local Plan and sections 12 and 106 of the National Planning Policy Framework, December 2024.

7.29 Impacts Upon Resident Amenity

7.30 Paragraph 135 of the NPPF 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.

7.31 Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

7.32 The small scale of the sign means it would have no impact upon residential amenity. 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. 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 South East Lincolnshire Local Plan in terms of impact upon residential amenity.

7.33 Highway Safety

7.34 Section 9 of the NPPF 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".

7.35 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.

- 7.36 The small, unobtrusive design means that there would be no impact upon movement along the public highway. The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, and 33 of the South East Lincolnshire Local Plan, as well as Section 9 of the National Planning Policy Framework, December 2024.
- 7.37 **Additional Considerations**
- 7.38 Public Sector Equality Duty
- 7.39 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.
- 7.40 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.41 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.
- 7.42 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.
- 7.43 Human Rights
- 7.44 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).
- 7.45 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.
- 7.46 **Planning Balance**
- 7.47 Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.
- 7.48 The proposal is for a small, unobtrusive sign to provide information relating to an existing feature. It would have no impact upon the significance of the Conservation Area, or the significance of the nearby listed buildings.

7.49 **Conclusion**

7.50 Taking these factors into consideration, the proposal is considered to conform with policies 2, 3, 29 and 33 of the South East Lincolnshire Local Plan, as well as Sections 9, 12 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.

8.0 **RECOMMENDATIONS**

8.1 It is recommended that consent be granted, subject to the conditions outlined within this report.

9.0 **CONDITIONS**

1. (a) All advertisements displayed and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority;
(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
(c) Where any advertisement is required under the Regulations to be removed, the removals shall be carried out to the reasonable satisfaction of the Local Planning Authority;
(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).
(f) This consent shall be for a period of five years.

Reason: As required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

- Application Form
- Site Location Plan
- Details of Signage

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

3. The materials of the advertisement hereby consented shall be carried out in accordance with the details outlined within the application form and approved plans.

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 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>

5. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link:
<https://www.lincolnshire.gov.uk/roads-transport/signs-tourist-attractions-facilities/5>

Background papers:- Planning Application Working File

Lead Contact Officer

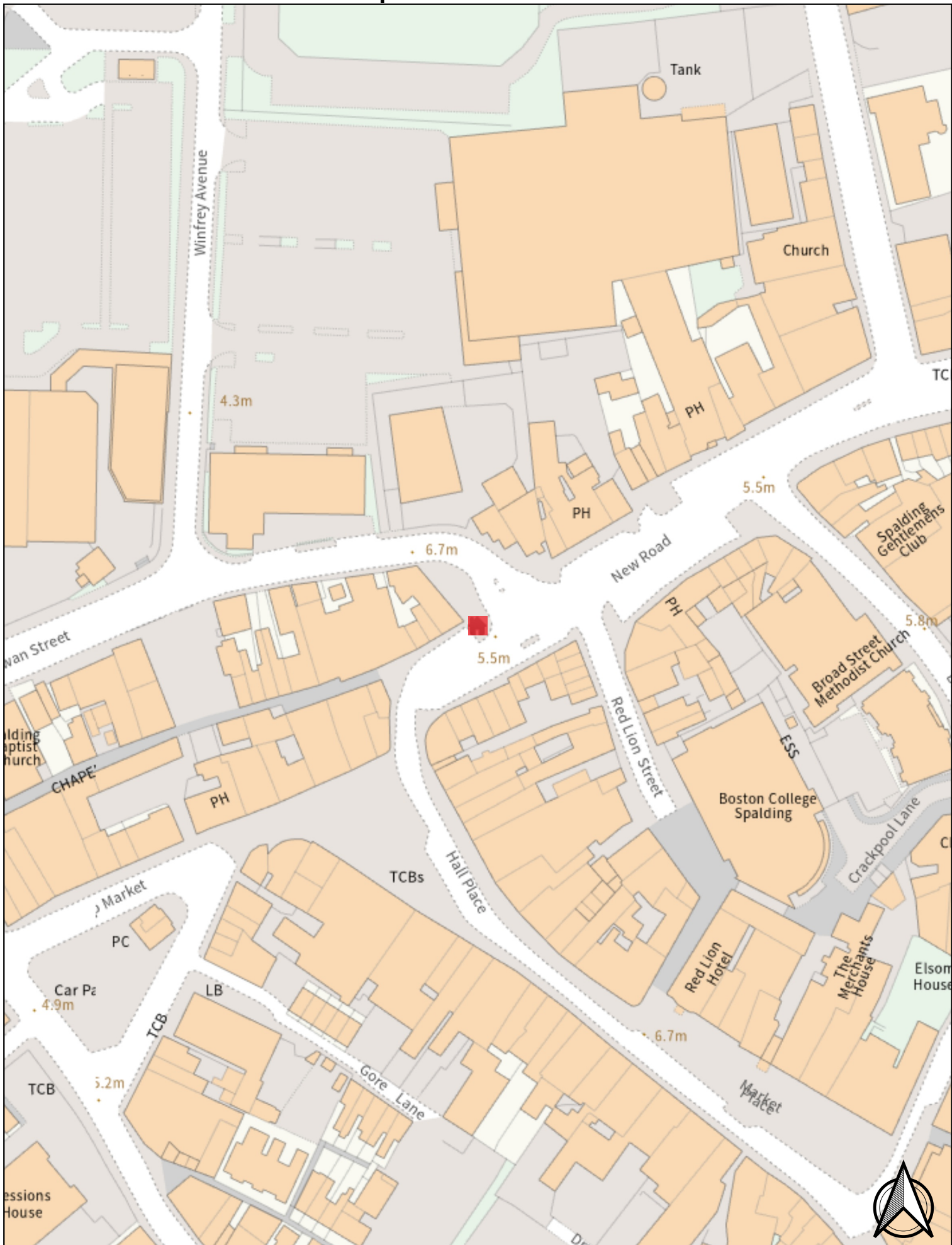
Name and Post: Nick Atkinson - Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:

Email: nick.atkinson@sholland.gov.uk

Appendices attached to this report:

Appendix A - Plan A



This page is intentionally left blank

Agenda Item 10.

SOUTH HOLLAND DISTRICT COUNCIL

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

To: Planning Committee - 24 June 2026

(Author: Oscar Patman - Planning Officer)

Purpose: To consider Planning Application H16-0328-26

Application Number: H16-0328-26

Date Received: 01 April 2026

Application Type: ADVERTISEMENT

Description: Proposed Information Board relating to Sheep Sculptures

Location: Pavement Adj. 1 Sheep Market Spalding

Applicant: Spalding & District Civic Society

Agent: Spalding & District Civic Society

Ward: Spalding Castle

Ward Councillors: Cllr G J Taylor

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0328-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The application relates to land in which South Holland District Council has an interest.

2.0 PROPOSAL

2.1 This is an advertisement consent application, seeking consent for the installation of an information board relating to existing sheep sculptures outside 1 Sheep Market Spalding.

2.2 The sign would be constructed of stainless steel, and would measure 420mm by 297mm. It would be located on an existing finger post.

3.0 SITE DESCRIPTION

3.1 The site is within the town centre boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located in front of the Pied Calf public house. There are several waist high sheep statues present on the site.

3.2 The proposal site is an area of open public footpath, and is within the context of the highly prominent and historically important sheep market area of the Spalding Conservation Area (SCA). The site is within very close visual proximity to a number of listed buildings, including the directly adjacent Grade II* listed 1 Hall Place, and Grade II listed 18 and 19 Hall Place. The area is generally characterised by a mix of commercial development of varying eras and styles

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

Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 29 - The Historic Environment
Policy 33 - Delivering a More Sustainable Transport Network

4.4 National Policy and Guidance

4.5 National Planning Policy Framework (NPPF), December 2024

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

4.6 Planning Practice Guidance (PPG)

5.0 **RELEVANT PLANNING HISTORY**

5.1 Application Site

5.2 H16-0875-24 - Full - Proposed fixed stone sheep sculptures - Approved 18/12/24.

5.3 H16-0215-25 - Condition Discharge - Details of exact positioning of sculptures (Condition 3 of H16-0875-24) - Approved 16/04/25.

5.4 Related Development

5.5 H16-0327-26 - Advertisement - Proposed Information Board relating to Cattle Sculptures - Ongoing

6.0 **REPRESENTATIONS**

6.1 Conservation Officer

The proposed interpretation signage relating to the sculptures representing the location of the historic sheep market is supported. The size and siting of the sign are considered acceptable; however, it is felt that the sign would sit more comfortably on the post if presented in a portrait orientation rather than a landscape format.

It is also considered that the signage would benefit from brief clarification as to who William Cobbett was. In addition, to support clear and straightforward interpretation, a simplified wording is suggested as follows:

William Cobbett, politician and farmer, wrote in 1830 of the area's "never- ending sheep."

The Sheepmarket historically contained pens for over 1,300 sheep for weekly livestock auctions. For centuries, Lincolnshire landowners prospered from the wool trade, until cotton eventually overtook wool within the textile industry.

The Lincoln Longwool was the favoured local breed, highly prized for the weight and quality of its thick, curling fleece. Despite its large size, the breed is docile and could be managed without the use of a dog. Now officially classed as a rare breed, the Lincoln Longwool provided the inspiration for the sculptured flock

6.2 Highway and Lead Local Flood Authority

"No objections - The advertisement proposals will not present a danger or distraction for road users therefore the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to Highway Safety. This may be subject to a permit from the local authority as it is within the public highway".

Proceeds to recommend the following informative condition:

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link:
<https://www.lincolnshire.gov.uk/roads-transport/signs-tourist-attractions-facilities/5>

6.3 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 Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

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, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.6 Layout, Design, Scale and Consideration of the Character of the Area and Heritage and Conservation

7.7 Policy Context - Design

7.8 Section 12 of the NPPF, "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.

7.9 Paragraph 135, contained within Section 12 of the NPPF, 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.

- 7.10 Paragraph 141 of the NPPF states: "The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."
- 7.11 Likewise, Policy 2 of the SELLP 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 SELLP 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.
- 7.12 These policies accord with the provisions of the NPPF 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.
- 7.13 Policy Context - Heritage
- 7.14 The site is within Spalding Conservation Area, within a line of sight of numerous listed buildings.
- 7.15 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.
- 7.16 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.
- 7.17 The 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.
- 7.18 Section 16 of the NPPF 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".
- 7.19 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"
- 7.20 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 NPPF. 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.

- 7.21 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."
- 7.22 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, roofscape, skyline and landscape;"
- 7.23 To this end, all proposals in the Conservation Area or which affect listed buildings should preserve or enhance their settings.
- 7.24 Assessment
- 7.25 The sign is small and is located on an existing fingerpost. The small scale means that it would not be overly noticeable when traversing the street, and the positioning on existing street furniture prevents the advertisement from being overly intrusive. The sign reads as a natural addition to the existing street furniture in the area.
- 7.26 The use of stainless steel is appropriate in the Conservation Area. The material is typical of these informative signs and in keeping with wider palette of the immediate area.
- 7.27 The comments of the Conservation Officer with regards to alternative wording and orientation are noted; however, it is not for the Planning Authority to dictate the wording of information boards or signage generally. The wording provided in its current form is considered to be acceptable regardless, as is the orientation of the advertisement.
- 7.28 Overall, the proposed advertisement would not give rise to an adverse impact upon the character of the area, or cause harm to the significance of the Conservation Area or nearby listed buildings. As such, the proposed advertisement is in accordance with policy 2, 3 and 29 of the South East Lincolnshire Local Plan and sections 12 and 106 of the National Planning Policy Framework, December 2024.
- 7.29 Impacts Upon Resident Amenity
- 7.30 Paragraph 135 of the NPPF 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.
- 7.31 Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 7.32 The small scale of the sign means it would have no impact upon residential amenity. 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. 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 South East Lincolnshire Local Plan in terms of impact upon residential amenity.
- 7.33 Highway Safety

- 7.34 Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".
- 7.35 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.
- 7.36 The small, unobtrusive design means that there would be no impact upon movement along the public highway. The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, and 33 of the South East Lincolnshire Local Plan, as well as Section 9 of the National Planning Policy Framework, December 2024.
- 7.37 **Additional Considerations**
- 7.38 Public Sector Equality Duty
- 7.39 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.
- 7.40 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.41 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.
- 7.42 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.
- 7.43 Human Rights
- 7.44 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).
- 7.45 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.

7.46 **Planning Balance**

7.47 Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

7.48 The proposal is for a small, unobtrusive sign to provide information relating to an existing feature. It would have no impact upon the locale or significance of the Conservation Area, or the significance of the nearby listed buildings.

7.49 **Conclusion**

7.50 Taking these factors into consideration, the proposal is considered to conform with policies 2, 3, 29 and 33 of the South East Lincolnshire Local Plan, as well as Sections 9, 12 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.

8.0 **RECOMMENDATIONS**

8.1 It is recommended that consent be granted, subject to the conditions outlined within this report.

9.0 **CONDITIONS**

1. (a) All advertisements displayed and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority;
(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
(c) Where any advertisement is required under the Regulations to be removed, the removals shall be carried out to the reasonable satisfaction of the Local Planning Authority;
(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).
(f) This consent shall be for a period of five years.

Reason: As required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

- Application Form
- Site Location Plan
- Details of Signage

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

3. The materials of the advertisement hereby consented shall be carried out in accordance with the details outlined within the application form and approved plans.

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 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>

5. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link:
<https://www.lincolnshire.gov.uk/roads-transport/signs-tourist-attractions-facilities/5>

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



This page is intentionally left blank



Report To:	Planning Committee
Date:	17 June 2026
Subject:	Briefing Note on Anglian Water Protocols
Purpose:	To provide members with an overview of the implications of water infrastructure issues on planning decisions
Key Decision:	No
Portfolio Holder:	Councillor Henry J Bingham, Portfolio Holder for Assets and Strategic Planning
Report Of:	Phil Norman, Assistant Director – Planning and Strategic Infrastructure
Report Authors:	Paul Jackson, Executive Programme Manager Nick Atkinson, Development Manager (Interim)
Ward(s) Affected:	All
Exempt Report:	No

Summary

At the Performance Monitoring Panel (PMP) held on 10 December 2025, Anglian Water provided a presentation to members on their wider role, this including their role in the planning process, their recent performance in South Holland, and on planned improvements across the network.

Following a wide-ranging discussion, members passed on a range of comments to the planning service. In summary, PMP requested a briefing note to be provided which addressed the implications of the position Anglian Water were seeking to adopt in relation to development management decisions.

In addition, PMP also resolved that this report and matter be presented to the members of South Holland District Council's Planning Committee in order to assist with their decision-making in relation to applications for planning permission where this matter is raised.

Recommendations

That;

- (a) the contents of this report be noted to assist members at Planning Committee with decision-making in relation to applications for planning permission.

Reasons for Recommendations

This recommendation meets with the request of Planning Committee and the PMP.

Other Options Considered

None. The 'Do Nothing' option is not appropriate.

1. Background

- 1.1 At the Performance Monitoring Panel (PMP) held on 10 December two officers from Anglian Water attended the meeting. These officers were Anglian Water's Regional Engagement Manager alongside their Pre-Development Planning Manager.
- 1.2 Following the presentation members raised a wide range of issues with Anglian Water. Whilst much of the discussion was focussed on Anglian Water's purpose and their role within the region, a large part of the debate centred on Anglian Water's role in the context of responding to individual applications for planning permission.
- 1.3 Anglian Water clarified that their role in the planning application decision-making process is a limited one, and for two reasons. These two reasons centre on two facts:
 - that developers have an automatic right under the Water Industry Act 1991 to connect to Anglian Water's foul sewer network; and
 - that Anglian Water are not statutory consultees in the planning application process.
- 1.4 Notwithstanding the above, Anglian Water clarified that they routinely respond to applications for both minor and major development. They also give advice, when requested to do so, at pre-application stage and in relation to Scoping Opinions.
- 1.5 Anglian Water further clarified that they were lobbying government for policy changes to improve outcomes for both the environment and their customers.

1.6 In essence, Anglian Water made it plain that they were becoming more robust when responding to planning applications, despite the fact that they were not a statutory consultee. They were also seeking to adopt a similarly robust approach when engaging with emerging Local Plans, for which they are a statutory consultee.

1.7 A report was subsequently presented to the PMP at the meeting on the 10 March 2026. The report set out the background to the issue; the position of Anglian Water; and also South Holland District Council and the South East Lincolnshire Council's Partnership's position and approach. The PMP instructed that the report was also presented to the members of the South Holland Planning Committee to assist with decision making.

2. Report

2.1 Anglian Water's planning position:

2.2 Anglian Water state that whilst they remain conscious of the need for Local Planning Authority's (LPA's) to maintain a 5 year housing land supply (5 yhls) they have taken legal advice which confirms that a lack of capacity within their network, or within a particular Water Recycling Centre (WRC), is a material planning consideration.

2.3 The legal advice obtained by Anglian Water suggests that LPA's can lawfully refuse planning permission, or impose pre-occupation conditions, until upgrades to the network are completed.

2.4 In essence, Anglian Water are of the view that LPA's may refuse planning permission where the WRC/network capacity is lacking, thereby ensuring that environmental protection is achieved alongside compliance with national and local planning policy.

2.5 Anglian Water are, consequently, increasingly suggesting that applications for development should be conditioned such that developments cannot be occupied until network capacity issues or connection issues are resolved.

2.6 In the context of a conditional approach, Anglian Water are routinely seeking to suggest the imposition of a condition along the following lines:

'No occupation of the development is hereby permitted until written confirmation has been provided to the Council by Anglian Water confirming that there is sufficient headroom at the [xxx] water recycling centre to accommodate the foul flows from the development'

2.7 The above is in the form of a Grampian condition. To be clear, a Grampian condition in planning is a negative, pre-commencement restriction that prevents development from starting or being occupied until specific, off-site, or third-party infrastructure works are completed.

2.8 The LPA's role:

2.9 The Planning Committee are advised that the determination of planning applications is, in most instances, a function exercised by the district council in its role as local planning authority. The LPA makes planning decisions in accordance with national

guidance and the prevailing local development plan, unless material decisions indicate otherwise.

2.10 Additionally, and as members are routinely advised at Planning Committee, all planning decisions need to be made conscious of the need to weigh in the balance the benefits of the proposals against the disbenefits.

2.11 **The use of conditions:**

2.12 When making planning decisions if matters can be addressed by condition they should be, but in order for a condition to be lawful it needs to pass the tests of necessity, relevance (to both planning and the development proposed), enforceability, precision and reasonableness.

2.13 In general terms, conditions should not be overly burdensome and the emphasis should be on minimising their number.

2.14 In the specific context of pre-commencement conditions, these should only be imposed where they are strictly necessary and with the applicants' agreement. It also needs to be borne in mind that unreasonable or invalid conditions can be challenged through the appeal process. Where they fail the tests an award of costs is likely.

2.15 It follows that the use of Grampian conditions requires care; and that where these conditions are imposed they must be generally capable of resolution within the standard three-year time limit of the development itself. There can be no ambiguity or uncertainty where such conditions are employed.

2.16 **Network Capacity Concerns:**

2.17 Anglian Water are not alone in seeking to alter their approach to responding to planning applications. Throughout 2025 it became evident that a number of national Sewerage Undertakers, including Anglian Water, have altered the approach to how they view and respond to consultations on planning applications for residential development. This is specifically the case in areas where recent concerns have come to light regarding an apparent lack of network capacity (referred to as 'negative headroom') to accommodate the additional load arising from new development within the existing sewerage infrastructure/network. The primary concern appears to relate to a lack of headroom capacity at various Waste Water Treatment Works (WWTW) within the area of a particular undertakers' responsibility.

2.18 In the case of South East Lincolnshire, this new approach has resulted in a growing number of objections being registered to planning applications for residential development within the Partnership area by Anglian Water. This primarily relates to applications for major residential development, which are those that represent key and strategic sites for achieving future growth aims and delivering much needed housing provision for the Partnership area and its residents.

2.19 **Legal Framework**

2.20 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 that ***'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.'

2.21 The current approach from a range of sewerage undertakers primarily stems from a lack of historic investment in the upgrading and maintenance of the national sewerage network over a sustained period of time, following past and current housing development, which has resulted in current capacity issues affecting certain areas and settlements across the Partnership area.

2.22 **The LPA perspective:**

2.23 From a development management perspective, the LPA's of the South East Lincolnshire Councils Partnership ('The Partnership') acknowledge and agree that a lack of capacity within a sewerage system, to accept additional load, is a material consideration in the determination of a planning application. However, in areas where Anglian Water considers the sewerage network is at or has already exceeded capacity, its approach has generally been to either submit an 'objection' to a planning application, or to request the imposition of a pre-occupancy condition prohibiting the commencement of the development until such time as upgrades to the system have taken place. In the view of officers this blanket approach is inherently flawed given that each application must be determined on its own merits, and in general accordance with the provisions of the development plan, unless material considerations indicate otherwise.

2.24 It also needs to be noted that, in a national context, the approach adopted by Anglian Water has not been universally accepted by individual LPA's. The reason for this is clear. A blanket approach fails to take account of the individual circumstances of not only individual development proposals but also the planning status of individual sites. Whilst the imposition of a bespoke drainage condition has been supported at appeal in site-specific circumstances, Planning Inspectors have repeatedly returned to the NPPF for clarity. This makes clear, at paragraph 201, 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.'

2.25 The conditional approach mooted by Anglian Water has some merit, and particularly so where clear and compelling evidence can be provided that the 'headroom capacity' within a particular WRC is at or over capacity. However, Anglian Water need to go further. They need to demonstrate that there are published plans to upgrade the particular WRC within a reasonable timeframe; or, in the alternative, to recommend refusal of permission and provide clear evidence demonstrating why a particular site cannot come forward within a reasonable timeframe. Officers consider that it is inappropriate for a blanket approach to be taken to all sites potentially served by a WRC which is at or above capacity. Such an approach would effectively stymie all development within a particular locality until such time as Anglian Water

effectively addressed the problem. It cannot be the case that the onus is placed on the applicant to demonstrate a matter largely outside of his or her control. This is not the role of the developer and, in this context, such a conditional requirement is considered unreasonable.

3 Moving Matters Forward:

3.1 In order to seek to move matters forward the most reasonable approach would be for the LPA's, across the Partnership, to adopt the following strategy:

3.2 Allocated Sites:

3.3 For sites that are allocated for housing within either the South East Lincolnshire Local Plan (2019) and the East Lindsey Local Plan Core Strategy (2018), an objection raised by Anglian Water on the basis of a lack of network capacity will not be considered reasonable. Furthermore, in such circumstances the LPA will not consider the imposition of a condition.

3.4 The reason for this approach is entirely straightforward. Anglian Water are a statutory consultee throughout the Local Plan process. If there were genuine headroom or capacity concerns at site allocation stage, Anglian Water ought to have raised these concerns at that time. The fact that they did not do so, either at site allocation or Local Plan inquiry stage, weighs heavily against any attempt to do so further down the line. Equally, Anglian Water have been well aware of the status of statutorily allocated sites since at least the date of adoption of the current suite of Local Plans. They have had ample opportunity to put into place a programme of works to address the capacity issues associated with sites which were known to be coming forward. The fact they have not done cannot now be used as a valid reason for objecting to proposals for sites which have been formally allocated and enshrined in statute.

3.5 In essence, officers consider it unreasonable for Anglian Water to conclude that developments which were known and strategically planned, and which would ordinarily fall within the remit of its Asset Management Team for assessment, are unable to proceed as a result of limitations arising from forward planning around sewerage infrastructure. In summary, allocated housing sites should have been both considered and catered for within the existing 'headroom capacity'. In a development management sense, statutorily allocated housing sites need to be considered to accord Policies 2, 3 and 4 of the SELLP or with Policy SP16 to the East Lindsey Local Plan Core Strategy (2018). All allocated sites are, in land use terms, acceptable in the context of the plan-led approach.

3.6 In summary, throughout the partnership area the view of the LPA must be that the refusal of planning permission for allocated sites on grounds of wastewater capacity would be unreasonable. The development industry needs certainty and each LPA needs to meet its housing targets and seek to maintain a 5 year land supply. To refuse planning permission for an allocated site on the capacity grounds being promoted by Anglian Water would be wholly unreasonable, difficult to sustain at appeal and highly likely to result in an award of costs. This is a risk that would be solely borne by the relevant LPA, rather than Anglian Water. Given all of the above, officers are of the view that there can be no reasonable planning grounds to seek to

resist the development of known and allocated sites on grounds of headroom capacity.

3.7 Non-allocated sites:

3.8 Where Anglian Water lodge a standard objection, on network capacity grounds, to proposals for housing on unallocated sites the LPA will engage in dialogue in order to seek to reach agreement on an appropriate way forward. Anglian Water will be expected to provide, within a reasonable timeframe, clear evidence of the site-specific capacity issues. It will be incumbent upon Anglian Water to provide:

- a. Detailed evidence that there is presently insufficient capacity, or capacity constraints at the relevant WWTW, taking into account both the development proposal itself and all existing developments in the locality that are capable of being implemented. This information will need to be provided on a site-specific basis and calculated in relation to the relevant WRC. Evidence provided on the basis of a wider geographical area will not be taken into account given that such an approach effectively seeks to stymie development until such time as network capacity issues are properly addressed by the statutory undertakers themselves.
- b. Clear evidence that it is reasonably likely that sufficient 'headroom capacity' will become available (through planned network upgrades) within the three-year lifespan of any planning permission issued for the proposed development. This accords with the standard timescale condition attached to all permissions. If Anglian Water cannot provide this information then the blanket conditional approach they are presently suggesting fails to meet the required tests of reasonableness.
- c. In the absence of (b) above, Anglian Water could alternatively provide information relating the provision of other, site-specific, means of effectively dealing with the treatment and disposal of waste water that were not 'headroom' dependent (e.g. on-site private waste treatment plants).

3.9 In circumstances whereby further evidence is provided by Anglian Water at this stage of the application process, and where this evidence clearly demonstrates that any of the above 3 options are suitably met, then the LPA will consider the imposition of a suitably worded condition. The condition itself would need to include a requirement to provide details of any necessary off-site infrastructure improvements and a timetable for completion – following which occupation shall only proceed in accordance with the approved phasing plan and/or infrastructure delivery plan.

3.10 In the alternative, and in circumstances where none of the aforementioned 3 options can be evidenced or met, the imposition of the type of Grampian condition presently suggested by Anglian Water will not be considered appropriate. Instead, Anglian Water will be requested to either withdraw its request for the imposition of a condition or to submit a consultation response confirming its outright objection to the development proposals, this including site specific grounds and reasoning to substantiate its position in the event of a subsequent appeal. Where such an objection, and robust reasoning, is provided this will be negatively weighed in the planning balance as harm, which may result in the refusal of the application by the LPA.

3.11 Further Updates

3.12 Since the publication and presentation of this report to PMP, Anglian Water has confirmed that there has been a change in the methodology for assessing Water Recycling Centre (WRC) capacity. In a recent consultation response from Anglian Water the following was stated:

'We submit Dry Weather Flow (DWF) data to the Environment Agency each year and update our planning responses to reflect the latest information. However, we recognise that extreme year-on-year weather variations can influence DWF. We have therefore revised our approach based on a three-year Q90 DWF average, plus known growth. This method smooths out volatility caused by unusually wet or dry years and offers a more representative long-term assessment of available capacity.'

3.13 The result of this being that it has been demonstrated that more headroom capacity exists at Water Recycling Centres than was previously considered to be the case. This has resulted in fewer objections being raised by Anglian Water, and a number of previously registered objections being withdrawn.

4 Conclusions

- 4.1 This report provides the background to Anglian Water's current approach to responding to planning applications within both South Holland and the wider Partnership area. It acknowledges the status of Anglian Water as non-statutory consultees on development proposals and sets out their rationale for objecting to applications for planning permission unless a condition is imposed to prevent occupancy until headroom capacity issues are addressed. It explains the procedural implications of Anglian Water's approach to commenting on applications for housing development and sets out a proposed LPA response in order to move matters forward.
- 4.2 The proposed approach acknowledges that capacity issues within the waste water network are relevant matters which have a bearing on the determination of planning applications. However, from the perspective of the LPA it is considered that Anglian Water is not in a position to seek to impose unreasonable planning conditions on sites which are already statutorily allocated within our formally adopted Local Plans, plans on which Anglian Water were a statutory consultee.
- 4.3 In relation to non-allocated sites, a clear way forward is proposed. This gives Anglian Water the opportunity to provide the LPA with sufficient information upon which to base a balanced planning decision.
- 4.4 Overall, the proposed protocol proposes a balanced way forward which should have little impact on the ability of the Council as LPA to continue to deliver its currently allocated housing supply. This should provide comfort that there will be little likelihood of interventions from central government on the basis of the Council's inability to deliver its currently allocated housing land.

Implications for South and East Lincolnshire Councils Partnership

None

Corporate Priorities

None

Staffing

None

Workforce Capacity Implications

None

Constitutional and Legal Implications

None

Data Protection

None

Financial

None

Risk Management

None

Stakeholder / Consultation / Timescales

None

Reputation

None

Contracts

None

Crime and Disorder

None

Equality and Diversity / Human Rights / Safeguarding

None

Health and Wellbeing

None

Climate Change and Environment Impact Assessment

None

Acronyms

AW – Anglian Water.

LPA – Local Planning Authority.

NPPF – National Planning Policy Framework

PMP – Performance Monitoring Panel.

WRC – Water Recycling Centre

WWTW – Waste Water Treatment Works

Appendices

None.

Background Papers

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

Chronological History of this Report

None.

Report Approval

Report author:

Nick Atkinson, Development Manager (Interim)

nick.atkinson@sholland.gov.uk

Paul Jackson, Executive Programme Manager

pauljackson@sholland.gov.uk

Signed off by:

Phil Norman, Assistant Director – Planning and Strategic Infrastructure

Phil.Norman@sholland.gov.uk

Carl Mellor, Group Manager – Planning and Development

Carl.Mellor@sholland.gov.uk

South Holland District Council

Appeals for Committee

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

OVERVIEW

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

Appeals Dismissed: 4
Appeals Allowed: 2
Appeals Part Allowed: 0
Appeals Invalid: 0

Since the 1st April 2017 290 planning appeal decisions have been received of which 216 have been dismissed, which equates to a success rate of 74.48%.

PLANNING APPEALS DISMISSED

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
1349 P & S Williams H23-1058-25 6004680	Irby House Millgate Whaplode Spalding	Jennifer Chance	DISMISSED	15 Apr 2026
1345 BT Telecommunications PLC H16-1013-25 6003783	Pavement outside of Boots 12-14 Hall Place Spalding Lincolnshire	Oscar Patman	DISMISSED	05 May 2026
1351 D Brown (Building Contractors) H13-0994-25 6005509	Land West of Browns Yard Seas End Road Moulton Seas End Spalding	Jennifer Chance	DISMISSED	05 May 2026
1346 BT Telecommunications PLC H16-1014-25 6003784	Pavement outside of Boots 12-14 Hall Place Spalding Lincolnshire	Oscar Patman	DISMISSED	05 May 2026

PLANNING APPEALS ALLOWED

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
1338 Integrum SPV 21004 Limited H20-1007-24 6001659	Land at Fendyke Farm Off Old Fendyke Sutton St James Spalding	Mark Niland	ALLOWED	27 Apr 2026
1352 Mr G Quince H02-0643-25 6005569	30 Postland Road Crowland Spalding	Jacob Bryan	ALLOWED	05 May 2026

PLANNING APPEALS PART ALLOWED

None

ENFORCEMENT APPEALS DISMISSED

Appeal Information	Appeal Site	Officer	Outcome	Decision Date
--------------------	-------------	---------	---------	---------------

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
--------------------	-------------	---------	---------	---------------