

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

MapThat Scale Print Title

