DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0017-26**	**Applicant:**	**UK Equity Limited**
Proposal:	Erection of 2 dwellings with associated parking		
Location:	Rear Of 92 - 94 North Street Crowland Peterborough		
Terminal Date:	22nd June 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK	0	0	0	1

ASSESSMENT				
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	2	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	3	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application seeking permission for the erection of two dwelling with associated parking at the rear of 92 - 94 North Street, Crowland.

Both plots would be accessed along the existing driveway adjacent to No. 94 with parking set to the front of each site. Plot 1 is located on the southern side of the plot with Plot 2 to the north with a total area of 264sqm being split between the two plots at 128sqm and 136sqm respectively.

Plot 1 has a total height of 7400mm, gable edge height 7200mm and an eaves height of 3800mm. Furthermore, Plot 2 has a total height of 7600mm and eaves heights of 3900mm and 2400mm.

Finally, all materials would be conditioned to be determined and discharged at a later date.

Site Description

The site is located within the defined settlement boundary of Crowland as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The application site is on the western boundary of the settlement and lies within the Conservation Area as well. North Street is a prominent road within the Conservation Area and features residential dwellings of varying designs on either side of the road as well as commercial properties closer to the centre of the settlement.

History

No relevant site history.

Consultation Responses

Crowland Parish Council

This location already experiences drainage and surface- water issues, and the introduction of additional hardstanding risks exacerbating run- off unless robust mitigation measures are demonstrated. Clear evidence of how surface water will be managed is required. The Council also notes existing parking pressures along North Street and expects the applicant to provide adequate on- site parking provision to avoid further displacement onto the public highway. Assurance is

sought that these matters have been fully assessed and addressed within the application.

North Level Internal Drainage Board

No objections.

Environment Agency

Environment Agency position

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment dated January 2026, prepared by S M Hemmings and the following mitigation measures it details:
· Finished floor levels shall be set no lower than 1.0m above existing ground level (equivalent to 4.5mAOD)
· Flood resilient construction shall be incorporated to 0.3m above the finished floor levels
· The dwellings shall be a minimum of 2 storeys
· Demountable defences shall be included to a height of 0.6m above finish floor levels

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

Reasons

To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan 2011-2036.

Lincolnshire County Council Highways & SuDS

ADDITIONAL INFORMATION REQUIRED

How many bedrooms does the host dwelling (96) have? I need to ascertain if two parking spaces are sufficient.

A note is to be added to the site plan to say the access will be upgraded to Lincolnshire County Council Specification.

Lincolnshire County Council Historic Places

Thank you for consulting us on this application.

It is noted that the applicant has provided an assessment of the archaeological or heritage potential of the site (heritage statement), as outlined in the NPPF (paragraph 207). That being said, archaeology is not scoped within the statement.

The site lies to the north of MLI20265 Possible Barrow Cemetery, Crowland, and within MLI20268 The Settlement of Crowland, an area of high archaeological potential. The earliest remains in the area date to the Neolithic period (4200-2250 BC), represented by stone axes and flint tools, with Early Bronze Age (2250-1600 BC) barrow cemetery activity. Crowland later developed as a significant medieval centre associated with the Abbey founded by St. Guthlac in the 8th century, which controlled much of south Lincolnshire until its dissolution in 1539. The Historic Environment Record also identifies several nearby archaeological interventions, including works at Clutton Close (ELI1015; ELI1876), West Bank (ELI2689), land off 99 North Street (ELI3441), land adjacent to 3 Cluttons Close (ELI5523), watching briefs at 78 North Street (ELI1305) and Kemp Street (ELI6706), and an evaluation at 60 North Street (ELI9994).

The proposed development comprises 'Erection of 2 dwellings with associated parking.". The proposed development groundworks will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present.

As mentioned above, there is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction - NPPF (paragraph 218). There is archaeological potential, and we do not possess evidence that previous limited development activity truncated possible present heritage assets.
I recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a mitigation work.

This will initially comprise but may not be limited to a continuous archaeological monitoring (Watching brief) of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above.

This will enable any remaining archaeology which currently survives on this site to be properly assessed and recorded prior to their alteration or destruction.

This should be secured by South Holland District Council's standard conditions AR01, 02, and 03 and is in accordance with National Planning Policy Framework paragraphs 207 and 218 and the South East Lincolnshire Local Plan (Policy 29).

With respect to the attached archaeological conditions, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1YL, 07386 656079, email ruben.lopez@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works.

It is recommended the resulting mitigation strategy and Written Schemes of Investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

Further Comments

Thank you for consulting us on this application.

We reiterate our previous comments in respect of archaeology.

Finally, as the proposal includes development within DLI10597 (Crowland Conservation Area), the SHDC Conservation Officer should be consulted prior to determination, given the potential for impacts on its setting.

South Holland District Council Environmental Protection

No comments regarding land contamination.

Conservation Officer

The proposed development site is located within the Crowland Conservation Area. This part of the conservation area has no strong or consistent built form or materials to guide new design, and the existing development is varied. The site in its current form is unobtrusive and blends into the background, causing no harm to the character or appearance of the conservation area.

Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The proposed development does not appear to enhance the conservation area; however, it may preserve its character and therefore have a neutral impact. To fully assess this, further information is required. This should include a scale drawing showing the ridge heights of the proposed dwellings in comparison with neighbouring properties, as well as detailed specifications for the driveway construction and boundary treatments, as these elements will have a significant influence on the character of the conservation area. These details must be provided to properly understand the overall impact.

Because the existing plot does not draw attention, the new buildings should remain as subservient and unobtrusive as possible. Plot 2 is particularly visible and would have a reduced impact if it were of a smaller scale.

Potential harm arising from material choices could be mitigated through a full external materials condition. Although some information has been submitted, specifics like the colour of the clay tiles, and whether different bricks are proposed for headers and cills all influence the building's appearance and its impact on the character and appearance of the conservation area.

We also note that the proposed development occupies a substantial proportion of the plot. To prevent cumulative impact from future extensions and alterations, we recommend the removal of permitted development rights under Classes 1, 2 and 14. This will help ensure the long- term protection of the conservation area.

Comments After Amendment

I am happy that the amended plans address my previous comments. I would still recommend the material condition and the removal of permitted development rights to ensure long turn protection of the CA.

Public Representation

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

These can be summarised as follows:

- Development in a Conservation Area
- Object to the filling in of green areas
- Increase the housing density would fundamentally change the nature of the town
- Increase in traffic and concerns over high safety and access
- Concerns over amenity
- Lack of details for boundary treatment
- Large garden is now totally overgrown, no attempt to maintain the garden
- Concerns over practicality of bin location
- Tree survey fails to include an existing pine tree
- Bat roost potential in existing apple tree

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):
- Principle of Development and Sustainability
- Layout, Design and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking
- Flooding Risk Considerations and Drainage
- Biodiversity

Evaluation

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.

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.

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.

Planning Considerations

Principle of Development and Sustainability

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.

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.

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.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates that within 'Main Service Centres', 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. This policy does not specify where development within 'Main Service Centres' is limited to Allocated and Committed sites and infill.

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".

Para 73 of the National Planning Policy Framework (December 2024) also emphasises the importance that the contribution of small to medium sized sites can make in meeting the housing requirements. This states that "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly". This policy seeks to ensure that there is a sufficient supply of homes and advises that sites of all sizes make a contribution to the housing requirement of an area.

The application site in this instance is within Crowland, a 'Main Service Centre', and lies within the defined settlement boundaries as detailed by Policy 1. In context of this, the principle of residential development within this location is considered to be appropriate, comprising an appropriate form of development for the location and would be in accordance with the overall principles of the spatial strategy.

As such, the proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan (2019) when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, impact on highway safety and flood risk, which are discussed in turn as follows.

Layout, Design and Consideration of the Character and Appearance of the Area and Heritage Impacts

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.

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.

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.

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.

These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The application site in this instance is within the Crowland Conservation Area. In this regard, in assessing proposals of this nature, the Local Planning Authority must ensure special regard to preserving the Conservation Area to Section 72 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.

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.

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".

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework (December 2024). Development proposals will expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

Firstly, it is important to note that all materials are to be conditioned and subsequently discharged at a later date and therefore the assessment of materials in this regard cannot be assessed within this submission.

The dwellings would be sited to the rear of No. 92 and 94 North Street, whilst they would also be behind properties along West Bank, the orientation faces towards North Street in particular. The plots are of reasonable sizes which ensure they are not cramped nor appear overdeveloped within

the area. The plot size is of a similar size to other extant dwellings albeit there are some slight discrepancies over the length. Overall however, the dwellings fit well within the plot and would not appear at odds with the wider area of this part of the settlement.

Whilst they would present as back land development which is commonly resisted by the LPA, there are clear existing examples of back land development nearby which provide justification for this particular development to be supported. No. 72 North Street is set between 78 North Street and 12 West Bank and is only 44m to the south of the application site in a fairly parallel pattern.

Furthermore, the approval of this application would not set a harmful likelihood for this trend of back land development to continue as this would mostly be filling in the last plot within the immediate area. The LPA would be unable to support similar proposals on neighbouring plots, given that the nature, characteristics and site circumstances are notably different to that hereby proposed. Overall, a harmful precedent would not be set going forward as there appears to be no other available land which could be developed to the rear of nearby extant dwellings.

As discussed above, Plot 1 would have a total height of 7400mm and Plot 2 would have a total height of 7600mm. Both dwellings have been designed as chalet bungalows to avoid them appearing too high and dominating the area whilst also overcoming flood risk concerns that would occur if they were standard bungalows. It is clear that both North Street and West Bank have a variety of house designs in terms of height and style with there being multiple two storey dwellings alongside single storey bungalows. Therefore, the introduction of chalet bungalows are not considered to be materially harmful within the character and appearance of the site. The height proposed is fairly modest and should ensure that no harm is caused through being visible over the existing bungalows in front of the site whilst also providing suitable floor space for residents.

A further point of justification regarding the potential visibility of the two plots from North Street can be outlined through the siting of 2 West Bank which is extant and set directly north of the site. When stood on site this rear plot is clearly visible along North Street and would therefore be no different in terms of visual impact in comparison to the dwellings proposed within this submission.

Not only is it necessary to assess the impact on the character of the area, it must also be assessed over the potential harm to the Conservation Area as a whole. The Conservation Officer has been consulted on this application and whilst they did not raise any objections initially, further information was requested. Their comments outline that *"This part of the conservation area has no strong or consistent built form or materials to guide new design, and the existing development is varied. The site in its current form is unobtrusive and blends into the background, causing no harm to the character or appearance of the conservation area. The proposed development does not appear to enhance the conservation area; however, it may preserve its character and therefore have a neutral impact"*.

Furthermore, they required additional information through the form of scaled drawings showing the ridge heights of the proposed dwellings in comparison with neighbouring properties alongside detailed specifications for the driveway construction and boundary treatments. These elements are considered to have a significant influence on the character of the Conservation Area and must be provided to understand the overall impact.

The existing plot due its modest height is not considered to draw attention to itself and as such, any new development should remain as subservient and unobtrusive as possible. It was therefore suggested within these comments that Plot 2 is particularly visible and would have less of an impact if it were of a smaller scale. Furthermore, it was additionally suggested that all external materials be conditioned. Finally, the comments recommended the removal of permitted development rights under Class 1, 2 and 14 to help ensure the long term protection of the Conservation Area.

Following on from these comments, correspondence was carried out between the case officer and agent to seek an amendment alongside the driveway and boundary treatment information. The Conservation Officer was subsequently re-consulted with their new comments stating the following *"I am happy that the amended plans address my previous comments. I would still recommend the material condition and the removal of permitted development rights to ensure long turn protection of the CA"*.

The driveway details have been provided within drawing number 'NS/16/A', the parking for Plots 1 and 2 are to be constructed from Marshalls Brindle Precast concrete Paviors to a size of 200 x 100 x 80. The paths to the front and side of each plot will be 1200mm wide and 600mm to the rear and

would be constructed from precast or natural stone paving's. Lastly, the main driveway/access itself would be made from clean gravel surfacing and contained by 150mm by 50mm precast concrete edgings. These materials are considered to be acceptable and should harm the area.

As such, there is not considered to be any material harm to the character, appearance, setting or significance of the area as well no harm to the Conservation Area either. All relevant comments will be taken into consideration with the relevant conditions being included within the decision notice should the application be approved.

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 and would therefore be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and Section 12 and 16 of the National Planning Policy Framework (December 2024).

Impact on Residential Amenity/ Land Users

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.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

As outlined above, Plot 1 would have a total height of 7400mm whilst Plot 2 would have a total height of 7600mm, the overall heights of both dwellings should be take into consideration when assessing the potential overshadowing concerns due to the positioning of the dwelling, site and nearby existing properties. To the west of the site, No's. 4 and 6 West Bank face the potential to be overshadowed particularly when the sun is rising in the morning. To the east, No's. 94 and 96 have the potentially to be overshadowed most notably towards the end of the day when the sun is setting. Lastly, No. 2 West Bank could also potentially be harmed as a result of the sun travelling west during the course of the day.

There would be a distance of around 23m to the west from both proposed dwellings to No. 4 and 6 West Bank with this separation distance being considered to be adequate enough to ensure that if a shadow is cast this would not be materially harmful to the aforementioned residential dwellings. There would be a distance of 10.5m and 12.5m for Plot 1 and Plot 2 respectively to the neighbours gardens with this distance also be considered acceptable so that the harm caused would not be material in this regard. Furthermore, a shadow would only be cast the sun is first rising in the morning with this becoming less substantial of an issue during the early hours of the morning when the sun gradually rises and travels south. As such, no adverse or harmful degree of overshadowing or loss of light should occur to the western properties.

The only potential harm to the eastern neighbours would be caused when the sun is setting towards the end of the day. There is less of a separation distance in this regard between Plot 1 and No. 94 North Street with this sitting at just over 6.8m. Again, due to the fact that this shadow would occur when the sun is setting, this would ensure that No. 94 would have be mostly unimpacted throughout the majority of the day and would only potentially face a shadow when the sun is setting and light levels are naturally getting lower. Whilst this may be an increase in overshadowing due to the built form being new, this would not be to a discernibly harmful level. Finally, No. 96 should also not be discernibly or adversely impacted by loss of light due to the positioning not being directly parallel to Plot 2.

Lastly, No. 2 West Bank to the north of the site could also be overshadowed as a result of the positioning to the north and the sun travelling south during the court of the day. There would only be a separation distance of roughly 1500mm to this northern boundary from Plot 2. Upon assessing the application which approved the erection of No. 2 West Bank, it is clear that the land that sits directly adjacent to Plot 2 is purely parking and access to the dwelling, as seen through drawing number 'GP/03/B' from H02-0749-19. Therefore, Plot 2 would not cause significant harm to any private amenity space and thus if a shadow were to occur this would not be adversely harmful.

Overall, neither Plot 1 or Plot 2 are considered to cause any significant or adverse harm through loss of light or overshadowing to any nearby residential dwelling following the construction.

Moving on from this, Plot 1 would have windows across the ground and first floor. The windows on the ground floor are not considered to cause material harm to nearby properties due to the height in which they will be set. This property in particular is proposed to feature two windows on the rear elevation which would both serve bedrooms. The window on the front elevation would be for a bathroom and therefore would naturally be obscure glazed. These rear windows would have a distance of around 23m to No. 4 West Bank and around 12m to the boundary itself. This is generally considered to be suitable distances to ensure that if views are provided that these would not be materially harmful and oversee a significant or harmful loss of privacy.

Furthermore, Plot 2 is somewhat similar in the sense that all ground floor windows are not considered to cause any material harm due to the level and location. As this dwelling features three bedrooms however, one of the windows for this site would be located on the rear elevation with the other two being set to the front. The rear elevation window has similar separation distances to its respective nearest existing plot, this being No. 6 West Bank, with these measurements also being considered to be suitable separation distances to ensure that no material loss of privacy would occur. The window to the front however would be closer to the boundary and thus dwelling of No. 94 North Street with this distance being at around 6837mm. Although closer, a tree has been included on this boundary which should limit the views into the site to a level that ensures no materially harmful views would be provided. Finally, all other first floor windows would serve bathrooms and a landing which are not considered habitable rooms in their own right and would also be obscure glazed in the case of the bathroom themselves.

To conclude, no material overlooking or direct facing into any habitable rooms is considered to occur following the construction of either Plot 1 or Plot 2 due to the reasons outlined above within this report.

As detailed above, the scale and design of the proposal is considered to be such that there would be 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 the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Flood Risk and Drainage

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".

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).

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.

Paragraph 175 details 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)".

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 site lies within Flood Zones 1 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.

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.

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.

As outlined above, the site lies within Flood Zone 1 of the Environment Agency's maps, yet is within Danger for Most/All within the South Holland Strategic Flood Risk Assessment. The Flood Risk Assessment (FRA) provides a detailed assessment of the risks of flooding to the site, with these being summarised as follows. The site has an annual probability of less than 1 in 1000 annual probability of flooding. The main risk to the site is if a breach were to occur in the east bank of the Crowland Washes. The risk of this happening along this section can be considered to be extremely low.

The proposed ground floor level for the house is approximately 1.0m above ground level with this following the recommendation of the South East Lincolnshire Matrix that for flood depths of 1.0m - 1.6m, proposals must have a minimum of two storeys with FFL set to a minimum of 1.0m. Not only this, flood resilient construction must be set to a height of 300mm above the predicted flood depth and demountable defences to 600mm above FFL.

To accommodate the flood risk, the following mitigation measures have been suggested. Due to the maximum predicted flood depths sitting at greater than 1.0 metre, the building has two storeys with all bedrooms being located on the first floor. Alongside this, the finished ground floor level of the proposed houses will be set to a minimum of 1.0m above existing ground level with flood resilient construction being set a height of 300mm above the predicted flood depth and demountable defences to 600mm above the finished floor level. This has been evidenced via 'NS/16/C' which showcases the highest point of the existing ground level being 3.59m whilst the finished floor levels for the proposed dwellings would be set to 4.60m and therefore it is set a minimum of 1m above the existing ground level. Furthermore, the ground level for each plot would also be raised to around 4.40m. These mitigation measures are considered to be suitable and appropriate for the area to ensure no material harm should occur to the proposed residents and nearby area.

In line with the policy which has been detailed above, the sequential test must be applied to ensure the site is sequentially preferrable. The FRA outlines that as the site is within Flood Zone 1 with most of the sites in Crowland being with Flood Zone 3, this makes the site better in comparison to the wider settlement. The safety of the development will be delivered through raising the floor levels above the predicted residual flood levels for the area in a 1 in 100 year fluvial event in 2115. As a result of this, it is considered the sequential test is passed.

Furthermore, the exception test is not required and is therefore considered to be passed due to the site being within Flood Zone 1.

Foul sewage would be disposed of via mains sewer with surface water being disposed of via a sustainable drainage system and a soakaway. On this basis, North Level Internal Drainage Board

have been consulted on this application and have raised no objections to the scheme. Notwithstanding this, no details relating to foul sewage have been provided with the application form outlining that details of the existing drainage system on the application drawings have been outlined as being advised, therefore, a condition would be attached to the decision notice requesting foul sewage details to be provided prior to above ground level works.

In any case, the other circumstances would not give rise to material harm whilst the relevant IDB themselves have also outlined no concerns.

Overall, when considering the development on balance, it is considered that given the mitigation measures detailed and recommended by condition, the proposal 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.

Highway Safety and Parking

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".

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.

Further, Policy 36, to be read in conjunction with Appendix 6, of the South East Lincolnshire Local Plan (2019), 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.

Both Plots 1 and 2 feature three dwellings and therefore a minimum of two vehicle parking spaces are required to meet Appendix 6 outlined above. Firstly, Plot 1 is provided with four parking spaces in the south eastern corner of its plot and therefore clearly conforms with this. Secondly, Plot 2 benefits from three adjacent parking spaces to the east and also meets this requirement.

A shared access has also been proposed making use of the existing access to the rear of the site as well as a large turning around space to ensure all vehicles can exit the site in a forward gear. This access would lead directly out onto North Street which itself already features multiple residential dwellings and thus the addition of at most seven more would cause no material harm to the site. Furthermore, as outlined, the access is already used to some extent by No. 94 North Street.

LCC Highways were consulted on this application with their comments seeking additional information. It can be considered however that their comments can be addressed without the need for additional information from the applicant directly. Firstly, they require to know how many bedrooms there are within No. 90 North Street to ensure that adequate parking provision is made. It would be safe to assume from the size of the dwelling, that it features at least two bedrooms and at most three, therefore only two parking spaces are required, as has been provided. Secondly, they require the access being upgraded to LCC Specification, this will be conditioned providing the application is approved. Therefore, this should rectify any concerns raised and allow the proposal to overcome these issues and subsequently conform to the relevant policies from a highway perspective.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3 and 36 the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

Biodiversity Net Gain

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.

"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".

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.

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.

For applications that are submitted prior to the introduction of this requirement, the development would exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

When taking the above into account, the development in this instance is not exempt from the statutory 10% Biodiversity Net Gain requirements. A BNG Statutory Metric, BNG Condition Assessments, Baseline and Proposed Habitat Plans and Site Photographs were provided in order to assess whether a 10% net gain can be achieved.

The Council's Ecology Team have been consulted on this application and have outlined that they believe that areas of this site could be suitable habitat for nest birds and as such request a condition requiring that works should not be carried out in the main nest season. Furthermore, they require that a total of two integrated universal nest brick be incorporated into the external fabric of one or both buildings to a height of 4+ metres on the north or east elevations. Alongside this, a bat box should also be included. Should the application be approved, such a condition will be included.

In regard to the the assessment of the metric, the calculation and assessment are considered to appear rigorous and we can be confident in their conclusions that the metric indicates that 10% mandatory net gain cannot be achieved on-site and therefore the proposals require 0.38 area-habitat units off-site. These will be secured via pre-commencement with further information being provided and discharged at a later date.

As such, there has been sufficient evidence provided to determine the application as long as the mandatory 10% net gain is achieved through securing off-site units pre-commencement.

Planning Balance

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

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, and provides adequate parking. Detailed flood risk information has been provided within this submission which outlines the existing and proposed levels alongside the mitigation measures featured. When viewed as a whole, the proposal conforms with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024).

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

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

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

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

Human Rights

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

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

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with policies 1, 2, 3, 4, 28, 29 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.