DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0075-26**	**Applicant:**	**Mr J O'Connor**
Proposal:	Erection of 3 dwellings on caravan park site		
Location:	Bridge Inn Caravan Park Bridge Inn Common Drove		
Terminal Date:	25th March 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
28	The Natural Environment
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

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

Representations:

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

SUPPORT				
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of three dwellings. The application site includes an area that contains caravans (see planning history)

The proposed dwellings are located to the south of the site located close to the Welland Bank.

All three proposed dwellings are identical, comprising two storey, four bedroom detained dwellings, with integrated garage to the front and bi-folding doors opening up in tthe rear amenity. Within the planning statement they are described as 'executive' homes.

The existing access arrangement is to be utilised, and this appears to be shared with the existing caravan use.

Site Description

The site is located in an isolated position, adjacent to the Bridge Inn and River Welland but well outside of the settlement of Crowland and is not close to any facilities, except one public house.

The site is located in a countryside location, as it not within a Defined Settlement Limit, and located on land considered to be within Flood Zone 3a by the Environment Agency. In terms of the SFRA the application site is located within a 'Danger for Most' area adjacent to the River Welland functional flood plain

The land is protected from the River Welland by Deeping High Bank and on the opposite side of the River Welland are the Crowland and Cowbit Washes, which are intended to provide protection against the 1 in 100 year plus climate change flood events.

The use of the site is as a caravan park for use by holiday makers, for holiday use only, and restricted by conditions to 15 static caravans and 15 touring caravans, none of which have unfettered occupation, with no occupancy of the site between 1 Jan to 14 Feb each calendar year.

The application site has an extensive planning history, dismissed multiple times at appeal for seeking permanent residential use of the static caravans. The applicant states that the caravans that are subject to this permission are being used 'by the same occupants for 321 days of the year'. The occupants include 5 dependent children of school age.

History

H02-1123-23 - Proposed static and touring caravan park, inc. new toilet block and access road - approved under H02-0359-00. Modification of the wording of Condition 6 to read 'The static caravans shall not be occupied during the month of January and the first two weeks of February each year. Caravans 1, 2, 3, 4 and 14 are excluded from the condition and can be occupied all year. Dismissed 23-01-25.

H02-1174-19 - Proposed static and touring caravan park including new toilet block and access road - approved under H02-0359-00. Modification of Condition 6 to allow permanent residential use throughout the year for 5 plots to be occupied by gypsy/travellers. Refused 30.01.20. Appeal Dismissed 11-01-23

H02-0251-17. Change of use to allow for permanent residential use throughout the year. The proposal includes 24 static caravan plots for residential use, and 1 static caravan plot for use by the site manager. REFUSED. 28-04-17. APPEAL DISMISSED. 29 August 2018.

H02-0817-11. Details of landscaping scheme (Condition 5 of H02-0700-09). APPROVED. 08-11-11.

H02-0998-11. Siting of static caravan for owner/manager accommodation (retrospective). APPROVED. 07-03-12. H02-0700-09. Modify layout for existing holiday caravan park (originally approved under H02-0359- 00). REFUSED. APPEAL ALLOWED.

H02-0700-09 - FULL - Approved 20.01.10 - Modify layout for existing holiday caravan park (originally approved under H02-0359-00). Appeal in relation to conditions 1 and 4 of planning permission H02-0700-09 - allowed
10.11.10.

H02-0776-01. Siting of unit for site management & security. APPROVED. 08-10-01. H02-0359-00. Proposed static and touring caravan park, inc. new toilet block and access road. APPROVED 22-06-00

Consultation Responses

Parish Clerk

"Objection against application"

Cllr Harrison - Ward Member

Objections - Although the supporting documentation suggests that the current static caravans will be replaced with 3 larger static caravans, I understand this application is for 3 large, 4 bedroomed houses.

This development is in Floodzone 3a with a high risk of flooding, which is why previous applications to change the current caravan site to permanent residency were refused, and subsequently upheld by the Planning Inspectorate. With the proposed development of 3 family homes, the occupants would have nowhere else to go in the event of a flood.

The Floodrisk Assessment fails to mention the significant breach in the flood defences, which took place on the 4th of January 2024 and I would also refute the statements made in the Development Management Report. This site has already been proven to be unsustainable. Welland Bank is National Speed Limit, the road into Crowland town, Gravel Causeway, is also National Speed Limit. Neither of these roads have footpaths, street lighting or Public Transport, therefore there would be a need for residents to drive into the town or further afield, to access services. These would include things like doctor appointments, shops, primary school, bus service; public or senior school, along with all the other amenities that the town provides.

As this is a full application, there is very little detail on the plans, with no mention of refuse collections or where the bins would be presented for collection. There is no detail on fencing or screening either

Anglian Water

We have reviewed the submitted documents and the Application Form states foul sewerage will be discharged to the Main Sewer, however there are no Anglian Water owned sewers within the vicinity

of the development, therefore the applicant should explore alternative methods of foul disposal.

Welland & Deepings IDB

The IDB have stated that the proposed development infringes upon the 9m byelaw imposed by the IDB and that trees and road surfacing as shown on plans are currently in conflict with this bye law. The IDB have requested amendments.

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 conditions are included.

Condition 1 - The development shall be carried out in accordance with the submitted flood risk assessment dated January 2026, ref: '1235.1', prepared by Flume Consulting Engineers and the following mitigation measures it details:
· Finished floor levels shall be set no lower than 1.2m above existing ground level (equivalent to 2.6 metres above Ordnance Datum)
· The dwelling shall be a minimum of 2 storeys

Condition 2 - Demountable defences shall be incorporated to 0.6m above the finished floor level on all external doorways. This measure shall be fully implemented prior to occupation and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

Historic Environment Officer

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request. Finally, as the proposal involves development near MLI125924 Water Tower, Crowland, the South Holland District Council Conservation Officer should be consulted prior to determination, given the potential for indirect impacts on the setting of this heritage asset.

Highways & SuDs

No Objections - Erection of 3 dwellings on caravan park site - 3 x 4 bed dwellings. This will be a reduction in vehicle movements to that, that could be produced with the current use of a caravan site. The parking is acceptable for the size of the dwellings proposed and turning is provided on site to ensure calling vehicles enter and leave the site in a forward gear. Whilst the access width is marginal the fall-back use was still shared and there is room along the driveway to give way to any oncoming vehicles. The proposal will not have an adverse effect 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.

Environmental Protection

I request a screening assessment form is completed and submitted with photographs to the Local Authority. The screening assessment form is available at:
https://www.sholland.gov.uk/article/11653/Planning-application-consultations

Representations

This application has been advertised in accordance with the development management procedure order 2015 (as amended). A letter of objection has been received which can be summarised into the following points.

·Locational conflict with policy

·Historic breaches of planning
·Flood Risk.

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 (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

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

The proposal is located within flood zone 3 and in the countryside beyond any settlement boundary. The key topics for consideration are:

·Principle of Development
·Flood Risk
·Character and Appearance
·Highways Safety
·Residential Amenity
·Ecology.

Principle of Development

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

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.

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

The site in this instance lies outside of any defined settlement boundary as outlined in the Policy 1 of the South East Lincolnshire Local Plan, 2019. Policy 1 indicates that sites outside of settlement boundaries will be designated as Countryside. The wording of the Policy is clear in that this designation is based principally on the settlement boundaries outlined in the relevant inset maps, rather than alternative considerations on the ground, such as the built form of the area.

As such, the application site falls to be assessed as a 'Countryside' location, as detailed by this spatial policy.

Within the Inspector Report associated with Appeal APP/A2525/W/25/3362446, the Inspector stated: "There is no clause within the LP (Local Plan) which indicates that the defined settlement boundaries should be reconsidered in the event development is permitted outside of their limits". To this end, the decisions by the Planning Inspectorate have been clear that there is no policy need to reconsider settlement boundaries, in light of development within the intervening years since the Local Plan's creation.

Part D of Policy 1 states that land outside defined settlement boundaries is designated as Countryside and that development within the countryside is limited to that where it " is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits."

Within the Reasoned Justification section of Policy 1, Paragraphs 3.2.15, 3.2.16 and 3.2.17 broadly outline when a proposal may be considered "necessary to such a location". These include, but are not limited to: applications relating to agriculture and forestry, appropriate tourism uses, reuse or replacement of an existing asset, housing for Gypsy, Traveller and Travelling Showpeople accommodation or to meet the specific housing needs of a settlement. This final point is in relation to rural exception sites, which this application is not seeking.

The Inspector's comments within APP/A2525/W/22/3313330, APP/A2525/W/24/3343297, and APP/A2525/W/25/3362446, amongst other appeals, have also been used to consolidate this interpretation of Policy 1. Paragraph 21 of the Inspector's Report for APP/A2525/W/22/3313330 outlines that the South East Lincolnshire Local Plan, 2019, "advocates containment within settlement boundaries other than in selected cases". All three outline that the benefits to the area must go beyond what would be typically expected for an in-settlement development of the same nature.

The proposal in this instance seeks planning permission for the erection of three large detached dwellings described within the Planning Statement as 'executive homes'. The proposed dwellings are not a development type that is necessary to a countryside location. They are not required to support a rural enterprise or other countryside-based activity and there is no justified functional need for the development to be located within this rural setting.

Furthermore, the proposal has not demonstrated that it would meet the sustainable development needs of the area in terms of economic, community or environmental benefits, as required by Policy 1. The development would deliver three market dwellings in an fairly remote countryside location and would not provide identifiable benefits that would justify a departure from the spatial strategy which seeks to direct most housing development to established settlements (unless that development is essential for the functioning of the countryside).

The Planning Statement asserts that the site has a functional relationship with Crowland and therefore represents a sustainable location for housing. However, the site is physically separated from the settlement and is located in an isolated position adjacent to the River Welland and the Bridge Inn public house. It is not within convenient walking distance of the main services and facilities within Crowland and future occupiers would therefore be heavily reliant on private vehicles to access day-to-day needs including schools, shops and healthcare.

The site currently operates as a holiday caravan park subject to planning conditions restricting occupation. Whilst the applicant suggests that the proposal represents a more sustainable use of the site, the current lawful use does not establish a general principle for permanent residential development. The proposal would instead introduce three unrestricted permanent dwellings within a countryside location where such development is not supported by the spatial strategy of the Local Plan.

The Local Planning Authority also notes that the site has an extensive planning history involving attempts to secure permanent residential occupation of the caravan site. Previous proposals seeking permanent residential use have been refused and dismissed at appeal. Whilst the current proposal differs in form, it would similarly result in the establishment of permanent residential occupation within a location previously considered unsustainable for such development.

For these reasons, the proposal is not considered to be development that is necessary to a countryside location and fails to demonstrate that it would meet the sustainable development needs of the area in terms of economic, community or environmental benefits.

Therefore, the proposal is considered to be contrary to Policy 1 of the South East Lincolnshire Local Plan, 2019. On this basis, the proposal is unacceptable in principle.

Flood Risk

Section 14 of the National Planning Policy Framework (December 2024) requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: (...) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 174 of the National Planning Policy Framework (2024) states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding and that development should not be 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. Paragraph 175 further confirms that the sequential test should be applied in areas known to be at risk of flooding unless it can be demonstrated that no part of the development would be located within an area at risk.

Policy 4 of the South East Lincolnshire Local Plan reinforces this approach and states that development in areas at risk of flooding will only be permitted where it can be demonstrated that there are no other sites available at a lower risk of flooding, with the sequential test normally undertaken on a Borough or District-wide search area of alternative sites within defined settlement boundaries, unless there is a clear justification for a more limited search area based on a specific locational need for the development.

The application site lies within Flood Zone 3a and is identified within the South East Lincolnshire Strategic Flood Risk Assessment as being located within an area categorised as "Danger for Most". The site is closely associated with the River Welland floodplain and the surrounding washland system which forms part of the wider flood management infrastructure within the district.

Residential development is classified within national planning practice guidance as More Vulnerable development.

A Flood Risk Assessment has been submitted in support of the application. The FRA places substantial reliance on the presence of flood defences associated with the River Welland and asserts that the proposal represents a reduction in vulnerability compared with the existing caravan use, which is described as highly vulnerable development. The FRA also proposes mitigation measures including raised finished floor levels, undercroft voids and flood resilience measures. The Environment Agency has reviewed the submitted information and has advised that it raises no objection subject to conditions requiring the development to be carried out in accordance with the FRA and the proposed mitigation measures.

Whilst the Environment Agency's position is noted, the absence of an objection does not in itself determine whether the development is acceptable in planning policy terms. The Local Planning Authority must still be satisfied that the proposal complies with the sequential approach required by Policy 4 of the South East Lincolnshire Local Plan and the National Planning Policy Framework; with the sequential test being a matter of assessment by the Local Planning Authority.

In this regard, the Local Planning Authority is not persuaded that the submitted Sequential Test is robust. The applicant's assessment places considerable emphasis on identifying sites that are comparable in scale and function to the redevelopment of this particular site. However, the proposal is for three unrestricted market dwellings and is not a form of development that must necessarily be located in this position.

Furthermore, the assessment limits the area of search largely to land within the settlement of Crowland and does not provide a clear justification for departing from the district-wide search area expected by Policy 4 and as set out within the SFRA. As the development does not represent a use that has a specific locational requirement within this site (countryside), there is no clear justification for restricting the search area in this manner.

The Local Planning Authority therefore considers that the submitted Sequential Test applies an unduly narrow geographical scope and fails to satisfactorily demonstrate that there are no

reasonably available sites within areas of lower flood risk within the wider district capable of accommodating the proposed development.

In any event, even in such case that the geographical area is limited to the settlement of Crowland, taking account of paragraph 027 and 027a of the NPPG whereby 'a proportionate approach should be taken'; it should be noted that the core of Crowland is within a lower flood risk area; and it is evident through the sue of the SFRA hazard maps, which should be utilised in the first instance followed by the depth maps as set out within the SFRA, that there are alternative sites that comprise a lower risk of flooding. Whilst the requirement lies with the applicant to demonstrate this adequately, the Local Planning Authority are aware of a number of sites that comprise sites that could accommodate such development and lie within an area at lower risk of flooding, including sites that currently comprise ongoing planning applications.

Furthermore, although the FRA suggests that the proposal represents an improvement over the existing caravan use, the current lawful planning status of the site is a holiday caravan park subject to occupancy restrictions rather than an unrestricted permanent residential use. The proposal in any case (for permanent housing) would introduce a materially different and more permanent form of residential occupation in a location identified as being at significant risk of flooding.

It is therefore considered that the sequential test is not passed in this instance.

Where the sequential test is not satisfactorily demonstrated, national policy indicates that development should not normally be permitted. Beyond this, even if the sequential test were considered to be satisfied, the proposal would also need to pass the Exception Test as set out in paragraph 178 of the National Planning Policy Framework. The process for applying the Exception Test is outlined within Paragraphs 177, 178 and 179 of the National Planning Policy Framework (December 2024). Paragraph 178 states "to pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall".

As such, turning to the exceptions tests, Paragraph 178 is clear that to pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In this instance, the proposal relates to the construction of three large market dwellings within an isolated countryside location. The development would primarily deliver private housing benefits and would not provide wider sustainability benefits to the community that would outweigh the flood risk associated with the site's location within Flood Zone 3a and within a Strategic Flood Risk Assessment hazard zone categorised as "Danger for Most".

Whilst mitigation measures are proposed to address the physical risks associated with flooding, such measures do not outweigh the fundamental policy concern associated with introducing new permanent residential development within an area of high flood risk.

It is therefore considered that the proposal fails to pass the exceptions test in any case.

In terms of drainage the applicant states that surface water will be disposed of via SUDs methods and that foul will be directed to the mains. The LPA have no concerns that these matters can be dealt with via suitably worded conditions. A point of note is that the IDB are seeking amendments, due to trees and internal roads being within 9m of the watercourse. Whilst the proposal is not acceptable in these terms this does not result in a planning reason for refusal, given the ability to overcome through additional information.

The Local Planning Authority therefore concludes that the proposal fails to demonstrate compliance with the Sequential Test required by Policy 4 of the South East Lincolnshire Local Plan and the National Planning Policy Framework. Furthermore, the proposal would fail to satisfy the Exception Test as set out in paragraph 178 of the National Planning Policy Framework.

Overall, it is considered, that the proposal is contrary to Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) with regards to flood risk.

Character and Appearance

Section 12 of the National Planning Policy Framework (December 2024), "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Paragraph 139 of the National Planning Policy Framework (December 2024) states: "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Policies 2 and 3 of the South East Lincolnshire Local Plan require development to respond positively to its surroundings and to be of an appropriate scale, layout, design and character that respects the landscape character of the area and its relationship with existing development. Policy 2 requires development to appropriately consider its size, scale, layout and impact on the character and appearance of the area, whilst Policy 3 requires development to create distinctive places that respond positively to landscape character, scale, massing and the visual relationship with the surrounding area.

Paragraph 187(b) of the National Planning Policy Framework (2024) further states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

The application site lies within an open fenland landscape associated with the River Welland corridor. The surrounding area is characterised by expansive flat agricultural land, river infrastructure and a limited number of isolated structures. Built development within the immediate vicinity is sparse, with the Bridge Inn and associated structures representing the primary built form in the locality. The wider landscape is therefore characterised by openness, long views and a relatively undeveloped riverside setting.

The existing caravan site represents a relatively low-profile and transient form of development within the landscape. Caravan units and associated infrastructure sit close to ground level and have a limited visual presence when viewed within the wider fenland landscape.

The proposed development would introduce three large two-storey detached dwellings with integral garages and associated residential curtilages. The scale, form and domestic character of these dwellings would represent a substantially more prominent and permanent form of development when compared with the existing lawful use.

In addition, the submitted Flood Risk Assessment indicates that the development would require significantly raised finished floor levels in order to address flood risk. This would result in the dwellings being elevated above existing ground levels, thereby increasing their visual prominence within the landscape and further emphasising their scale and massing when viewed from the

surrounding countryside and river corridor.

Whilst the applicant has submitted cross sections intended to demonstrate the relationship between the proposed dwellings and the adjacent flood defence bank, the Local Planning Authority considers that the dwellings would nevertheless appear visually prominent and incongruous within this open rural setting. The proposed development would introduce a form of built development more commonly associated with suburban or village environments rather than the open fenland landscape that characterises this location.

It is also noted that development which might otherwise have reduced visual impact, such as single-storey dwellings, would not be feasible in this location due to the need to incorporate flood mitigation measures and elevated floor levels. As such, the proposed two-storey dwellings represent a particularly prominent form of development that would be difficult to assimilate into the surrounding landscape.

The development would therefore result in both a localised visual impact on the immediate riverside setting and a broader adverse impact on the character of the surrounding countryside, introducing a suburbanising form of development into a location that is currently characterised by openness and limited built form.

For these reasons, the Local Planning Authority considers that the proposal would fail to respect the landscape character of the area and would have an unacceptable impact on the intrinsic character and beauty of the countryside. The development is therefore considered contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (2024).

Residential Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan require development proposals to demonstrate that they would not result in unacceptable impacts on neighbouring land uses and that they provide a satisfactory standard of amenity for both existing and future occupants. In particular, Policy 2 requires consideration of impacts arising from noise, disturbance, visual intrusion and the relationship to existing development, whilst Policy 3 seeks to ensure that development provides appropriate levels of residential amenity through its layout, scale and design.

The proposed dwellings are located within a relatively isolated setting and there are limited permanent residential properties in close proximity to the site. Given the separation distances involved, it is unlikely that the development would give rise to unacceptable impacts in terms of overlooking, loss of privacy, overshadowing or overbearing impacts upon nearby residential properties.

The development would provide private amenity space and appropriately designed residential accommodation and is therefore considered capable of providing a satisfactory standard of living conditions for future occupants in accordance with the objectives of Policies 2 and 3 of the Local Plan.

It is noted that the surrounding land includes a caravan site currently used for holiday accommodation. Whilst the introduction of permanent dwellings may result in some localised changes in activity levels and outlook for users of the caravans, these impacts are not considered to be of such a magnitude as to result in unacceptable levels of noise, disturbance or visual intrusion when assessed against the criteria of Policy 2.

Overall, the proposal is considered acceptable in residential amenity terms and therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan.

Highways Safety

Section 9 of the National Planning Policy Framework (December 2024) is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

Policy 2 of the South East Lincolnshire Local Plan requires development proposals to demonstrate

that sustainable development considerations are met, particularly in relation to safe access arrangements and vehicle generation. Policy 3 further requires proposals to demonstrate how accessibility by a choice of transport modes, including walking, cycling and public transport, will be secured where relevant. Policy 36 relates to vehicle and cycle parking provision, stating that all new development should provide parking in accordance with the adopted minimum standards set out in Appendix 6.

Lincolnshire County Council, as Highway Authority, has reviewed the proposal and has raised no objection. The Highway Authority notes that the development would likely result in fewer vehicle movements than the existing lawful caravan use and that adequate parking and turning provision is available within the site to ensure vehicles can enter and leave the site in a forward gear.

Having regard to the advice of the Highway Authority, the Local Planning Authority is satisfied that the proposal would not result in an unacceptable impact on highway safety or the operation of the surrounding highway network. The proposed parking provision is also considered to be in accordance with the relevant standards set out within the Local Plan.

However, it is noted that the site is located in an isolated countryside location with limited opportunities to access services and facilities by means other than the private motor car. There are no footways, cycle routes or regular public transport services in the immediate vicinity and future occupiers would therefore be heavily reliant on private vehicles to access day-to-day services within Crowland and the wider area. Whilst this locational characteristic does not give rise to a specific highway safety concern, it does highlight the limited opportunities for sustainable travel associated with the site.

On balance, and having regard to the advice of the Highway Authority, the proposal is considered acceptable in highway safety and parking terms and therefore accords with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan.

Ecology nd Biodiversity Net Gain

Policy 28 of the South East Lincolnshire Local Plan relates to the protection and enhancement of the natural environment. In particular, Part 3 of the policy seeks to address gaps within the ecological network and requires development to deliver measurable biodiversity enhancements where possible, including through the delivery of 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.

The proposal would be required to demonstrate net gain, a matter that is not contested by the applicant.

In support of the application, the applicant has submitted a Condition Assessment together with a Biodiversity Net Gain (BNG) Metric and Assessment Report. The submitted information identifies the existing ecological baseline of the site and calculates the biodiversity units required to achieve the statutory biodiversity net gain requirement.

The assessment demonstrates that the required biodiversity units would be secured through off-site biodiversity enhancements, with the detailed mechanism for delivery capable of being secured through planning conditions and the submission of a Biodiversity Gain Plan in accordance with the relevant legislative requirements.

Having regard to the submitted information, the Local Planning Authority is satisfied that the biodiversity impacts of the development could be appropriately addressed through the implementation of biodiversity net gain measures secured by condition.

Ecology and biodiversity are therefore not considered to represent a determinative issue in the assessment of the application and the proposal is capable of complying with Policy 28 of the South East Lincolnshire Local Plan, subject to the imposition of appropriate planning conditions.

Planning Balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

In this instance, the proposal would deliver three new dwellings which would contribute in a limited way towards the housing supply. The development would also make use of an existing access and the Highway Authority has confirmed that the proposal would not result in unacceptable impacts on highway safety. The proposal is also considered capable of providing acceptable living conditions for future occupiers and biodiversity impacts could be addressed through appropriate biodiversity net gain measures secured by condition.

However, these benefits are limited and must be weighed against the policy conflicts identified.

The site lies outside the defined settlement boundary of Crowland and is therefore located within the countryside where new residential development is only supported where it is necessary for a countryside location or where it demonstrably meets the sustainable development needs of the area. The proposal would introduce three large market dwellings within an isolated rural location and would not provide identifiable economic, community or environmental benefits sufficient to justify a departure from the spatial strategy of the Local Plan.

Furthermore, the site lies within Flood Zone 3a and within an area identified within the Strategic Flood Risk Assessment as "Danger for Most". The Local Planning Authority is not satisfied that the submitted Sequential Test demonstrates that there are no reasonably available sites within areas of lower flood risk capable of accommodating the development, particularly given that the search area has been restricted without clear justification. The proposal would therefore introduce new permanent residential development within an area of significant flood risk contrary to national and local planning policy.

In addition, the proposed dwellings would represent a prominent and suburbanising form of development within an open fenland landscape associated with the River Welland corridor. The scale of the dwellings, combined with the requirement for raised finished floor levels to address flood risk, would increase their visual prominence and result in harm to the character and appearance of the countryside.

When taken together, the conflict with the spatial strategy of the Local Plan, the failure to satisfactorily address the sequential approach to flood risk, and the harm to the character and appearance of the countryside are considered to significantly and demonstrably outweigh the limited benefits of the proposal.

The proposal is therefore considered to conflict with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan and the relevant provisions of the National Planning Policy Framework.

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 into consideration these factors, the proposal is considered to be contrary with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024).

On this basis the proposal is recommended for refusal.