

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0128-26 **Applicant:** Mr M Blackbird
Proposal: Erection of 3 dwellings together with double garage to Plot 3
Location: Land At Blackbird Close Crowland
Terminal Date: 29th April 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	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE	0	0	0	1

BOARD				
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2
RESIDENTS	1	1	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of 3 number dwellings on site. The proposal would see a pair of semi-detached dwellings to the front with parking provision (shared) for 4 number cars. A dwelling (plot 3) is also located to the rear (east) of the application site, this is accessed through a proposed shared drive (shared with the dwellings further east) where 4 number parking spaces are proposed, two to the front of the proposed garage and two further east.

Along the south side of the driveway the applicant seeks to retain an existing laurel hedge and proposes, to the north side evergreen shrub planting.

All dwellings are two storeys with private amenity area provided, the applicant also shows 3 number trees just to the east of plots 3 for the purposes of complying with BNG.

Site Description

The application site is located within the settlement limits of Crowland. It is bound by Peterborough Road to the west and Blackbird Close to the south. A private drive runs along the northern boundary with Kennulphs Close, to the east are two detached dwellings with James Road beyond.

The application site is located in Flood Zone 2 in accordance with the EA Mapping for Planning and in an area categorized as 'low hazard' within the South East Lincolnshire SFRA.

The site at present is vacant and fairly described as an infill site.

History

- H02-1008-25 - Erection of 3 Dwellings with a Double Garage to Plot 3. Refused 30.12.2025
- H02-0568-24 - Erection of 3 dwellings with garages - re-submission of H02- 0899-22. Approved
- H02-0899-22 - Erection of 3 bungalows & garages. Appeal Dismissed.
- H02-1082-15 - Residential development 41 dwellings with associated parking and garages. Approved 21-08-17.
- H02-0774-18 - Erection of detached dwelling and private drive access. Approved 12-10-18.

Consultation Responses

Parish

No objection

North Level IDB

The board has no objection to the development.

Highways & SuDs Support

No objection - The application is for the Erection of 3 dwellings - resubmission. This revised proposal includes a separate driveway away from BlackBird Close utilising the same access with the public highway for plot 3. Plots 1 & 2 require the installation of the new access from Peterborough Road - this access shall be constructed to Lincolnshire County Council Specification. The dimensions of the proposed access are adequate to enable 2 cars to pass in opposing directions. Visibility onto Peterborough Road has been demonstrated satisfactorily and is in accordance with Manual for Streets. The parking demonstrated is adequate for the size of dwellings. The proposal will not have an adverse impact on the public highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application, and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Ecology

There has been sufficient evidence provided to determine this application, and we are confident that 10% net gain can be achieved on site for this application

Historic Places Team

The historic places team officer states (in part):

The NPPF (paragraph 207). The proposed development comprises erection of 3 dwellings with garages, access and additional car parking spaces. We do not possess evidence that previous limited construction activity entirely disturbed/truncated possible present heritage assets. Considering the proposed development's scale and design, groundworks and any temporary works associated with the development will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present.

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 phased approach of archaeological investigation and mitigation work.

Environmental Protection

I request a standard land contamination condition be applied at this location

Representations

This application has been advertised in accordance with the development management procedure order 2015 (as amended). A number of local objections have been received which can be summarised as:

- Narrow site
- Character impacts
- Residential amenity impact including overbearing
- Accuracy of site levels
- Concerns regarding contamination
- Side window shown on the elevation of plot 2 will look directly into our bedroom window.
- Would like to see swift boxes

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.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Development 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

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
- Foul and Surface Water Drainage
- Ecology

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.

Crowland is described within the local plan as a 'Main Service Centre' and within such areas, Policy 1b of the South East Lincolnshire Local Plan (2019) states:

Within the settlement boundaries of the 'Main Service Centres' (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

The application site is located wholly within the settlement boundary for Crowland and the proposal is therefore considered acceptable in planning principle, in accordance with Policy 1 of the South East Lincolnshire Local Plan (2019). Moreover, an extant permission is in place for the erection of 3 number dwellings approved under H02-0568-24, the principle of residential development is therefore already established across the application site.

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

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.

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.

The area is characterised by a broad mix of dwelling types. Already approved on this site are 3 number two storey detached dwellings. The scale is already therefore considered acceptable in planning terms. This application proposed a pair of semi-detached frontage dwellings (before these were detached), the dwellings would not be out of keeping with the existing area given there are examples of semi-detached properties in the area. A plot to the rear (plot) 3 has also been approved in a similar location.

The scale and siting of the proposed dwellings are considered acceptable, and broadly commensurate with those around. The applicant has not put forward a schedule of materials and these will be conditioned, to ensure their acceptability.

On this basis, 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 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 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.

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) require that development does not result in an unacceptable impact on the amenity of neighbouring occupiers by way of overlooking, overbearing impact, overshadowing or loss of privacy.

Plots 1 and 2 (Frontage Dwellings)

The proposed semi-detached dwellings are set back from Peterborough Road and maintain separation distances broadly comparable with the prevailing pattern of development. The flank elevations facing neighbouring properties do not contain principal habitable room windows at first floor level. To ensure that no unacceptable overlooking arises in the future, a condition will be imposed removing permitted development rights for the insertion of additional openings in these elevations.

In respect of the objection received regarding a side window in Plot 2, the submitted plans indicate that no clear-glazed primary habitable room window serving a principal room directly faces neighbouring bedroom windows. Any secondary or non-habitable room windows at first floor level can be conditioned to be obscure glazed and fixed shut below 1.7m above internal floor level to safeguard privacy.

Given the separation distances, orientation, and the absence of direct overlooking from principal windows, the relationship is considered acceptable and would not give rise to material harm in terms of overlooking, loss of privacy, overbearing impact or overshadowing.

Plot 3 (Rear Dwelling)

Plot 3 is positioned to the east of the site and forms a rear-to-side relationship with neighbouring dwellings at 4A and 4B Peterborough Road. The rear elevation of Plot 3 contains only ground floor openings, which will be effectively screened by boundary treatments. At first floor level, no clear-glazed habitable room windows are proposed in the rear elevation; a condition will remove permitted development rights to prevent the insertion of such openings in the future.

First floor side windows serving a bedroom and landing face eastwards. Whilst these afford some oblique views across neighbouring garden areas, the degree of overlooking is limited by the separation distance, the angle of view, and the presence of intervening built form. These windows do not result in direct or harmful overlooking of principal habitable room windows or private amenity areas to an extent that would justify refusal.

In respect of overbearing and overshadowing impacts, Plot 3 is not directly positioned to the rear of neighbouring dwellings and is instead offset, reducing the sense of enclosure. The orientation and spatial relationship ensure that any overshadowing would be limited and not materially harmful.

Taking the above into account, and subject to conditions controlling additional openings and glazing, the proposal would not result in a significant or unacceptable impact on the amenity of neighbouring occupiers. The development therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

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.

Furthermore, 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.

Highways have been consulted and have no objections to the proposed development, considering the access and visibility safe in highways terms, the state that "The dimensions of the proposed access are adequate to enable 2 cars to pass in opposing directions. Visibility onto Peterborough Road has been demonstrated satisfactorily and is in accordance with Manual for Streets. The parking demonstrated is adequate for the size of dwellings". Highways are therefore in support of the proposal subject to a list of informative relating to the formulation of a new access as well as any street works required.

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

Flooding Considerations

Section 14 of the National Planning Policy Framework (December 2024) seeks to steer development to areas at lowest risk of flooding through the application of the sequential test and requires that development in areas at risk of flooding is made safe for its lifetime without increasing flood risk elsewhere.

The application site lies within Flood Zone 2 and is therefore classified as having a medium probability of flooding. Residential development is categorised as "more vulnerable" development; however, such development is considered appropriate in Flood Zone 2 subject to the sequential approach and site-specific considerations.

The site is located within the defined settlement boundary of Crowland, identified as a Main Service Centre within the South East Lincolnshire Local Plan (2019), where development is directed in principle. As an infill site within an established settlement, the proposal is considered to satisfy the aims of the sequential test by directing development to a sustainable location.

Furthermore, the site benefits from an extant permission for residential development, which establishes the acceptability of the development in flood risk terms, subject to appropriate mitigation.

Conditions will be imposed requiring:

- submission of finished floor levels,
- details of surface water drainage,
- details of foul water disposal,

to ensure the development is safe for its lifetime and does not increase flood risk elsewhere. Subject to these safeguards, the proposal is considered to comply with Policy 4 of the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024).

Ecology

Policy 28 of the South East Lincolnshire Local Plan (2019) and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021) require development to deliver a minimum of 10% biodiversity net gain.

The submitted ecological information, including a biodiversity metric calculation, has been reviewed by the Council's Ecologist, who confirms that sufficient information has been provided to determine the application and that a 10% biodiversity net gain is achievable on site.

The proposed biodiversity enhancements include habitat creation and tree planting within the site. In order to ensure that these areas deliver the intended biodiversity benefits over the long term, they

must be retained and managed outside of private domestic curtilages.

This will be secured through:

- a Biodiversity Gain Plan, required by condition,
- a Habitat Management and Monitoring Plan (HMMP), setting out long-term management, maintenance and monitoring responsibilities.

These mechanisms will ensure that biodiversity enhancements are appropriately secured, managed, and maintained for the required period in accordance with statutory requirements.

Additionally, a condition will be imposed requiring the provision of integrated bird and bat boxes within the dwellings.

Subject to these measures, the proposal complies with Policy 28 of the South East Lincolnshire Local Plan (2019) and relevant national policy.

Other matters

The LCC Historic Places Team have requested that archaeology related condition are applied to any permission. Given the lack of information regarding this topic this request is considered reasonable, and the condition will be attached to any permission.

Planning Balance

The site benefits from an extant planning permission for the erection of three dwellings (ref: H02-0568-24), which remains capable of implementation and therefore represents a realistic fallback position.

The approved scheme comprises three detached dwellings, whereas the current proposal seeks to deliver a pair of semi-detached dwellings to the frontage and a detached dwelling to the rear. The overall quantum of development remains unchanged.

In assessing the current proposal, it is considered that the impacts arising from the proposed development, including in respect of character, residential amenity, and highway safety, would be broadly comparable to, and in some respects no greater than, those associated with the extant permission.

As such, the fallback position is a material consideration which weighs in favour of the proposal.

Conclusion

In this instance the proposal is considered to accord with policies 1, 2, 3, 4, 28, 29, 30 & 36 of the South East Lincolnshire Local Plan (2019) and the relevant sections of the National Planning Policy Framework (December 2024) discussed within this report.

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.