

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0212-26 **Applicant:** Mr G Luparia
Proposal: Erection of new 3 bedroom dwelling
Location: Adjacent To 77 Peterborough Road Crowland Peterborough
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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural 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 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

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

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks outline planning permission with all matters reserved for the erection of a dwelling, except for the proposed access which is to be taken from Peterborough Road.

Site Description

The application site comprises a corner plot of land located to the north of 77 Peterborough Road and to the south of Harvester Way. The site currently forms part of 77 Peterborough Road and as such, the proposed development would require the sub-division of the plot.

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

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

Planning History

H02-0297-23: (Outline Application) Erection of three bedroom dwelling - approved 31 May 2023

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

Crowland Parish Council: No objections.

North Level Internal Drainage Board: No objections.

Lincolnshire County Council - Historic Environment: The proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application.

Lincolnshire County Council - Highways and SUDS: The minimum width of an access is 2.5m why is 5m proposed? Will the access be just for the proposed dwelling? Will a boundary treatment separate the host and the proposed dwelling? If any alterations are proposed a note should be added to the proposed site plan to say that it will be done to Lincolnshire County Council Specification. It is noted that the two access points to the existing dwelling are already in place, as the proposed dwelling will increase vehicle movements in/out of the access it would be advised that the height of the front boundary hedge is reduced to 1m in height to improve the visibility.

Environmental Protection: No comments regarding land contamination.

Ecology Officer:

First Response (24 March 2026): We request that a total of 1 integrated universal nest brick (e.g., S Brick, Swift Nesting Brick, Manthorpe, Swift Bricks: The 'Universal' Nest Brick - by Dick Newell | CIEEM) is incorporated into the external fabric of the proposed building. This should be located at a height of 4+ m metres, on the north or east elevations to avoid overheating, in accordance with best-practice guidance such as British Standard BS 42021:2022. We also request that one integrated bat box (e.g., Integrated / Built-In Bat Boxes, Integrated Eco Bat Box | The Nestbox Company) is added to the dwelling. In both cases, the authority requires the applicant to submit sufficiently detailed maps that indicate the proposed location of bird/bat boxes on-site and the bricks must be installed during the construction phase and retained thereafter for the lifetime of the development. These are required to enhance biodiversity and to be in line with Local Plan Policy 7.2.14.

Second Response (02 April 2026): As the house isn't a self-build dwelling, it is not exempt from BNG and we will therefore still require the BNG condition to be included in the decision notice. Prior to determination, we will require a BNG metric to be provided with details of the baseline habitats on site - these are currently missing from the metric calculations. Once these have been provided, we can have a clearer picture regarding how this site can achieve 10% net gain - whether it be through onsite habitat enhancement or securing offsite habitat units. I will provide further comments when we have received the updated metric.

Cllr B Alcock: No response received.

Cllr J R Astill: No response received.

Cllr A Harrison: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, one representation has been received from a member of the public as set out below:

-Although the proposed build backs somewhat to our garage, the two-storey build will probably restrict the natural light coming into our dining room which is situated at front of our bungalow. As we live in a bungalow, the loss of light will impact natural daylight coming into our home and affect living conditions. There are 2 rooms at the front of our bungalow, a bedroom and dining room. I feel the daylight coming into the dining room will be affected. This dining room is closest to the fence.

Key Planning Considerations

Development Plan

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 adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

- Principle of Development;
- Design and Visual Impact;

- Impact on Residential Amenity;
- Highway Safety and Parking;
- Flood Risk and Drainage; and
- Biodiversity Net Gain.

These matters are assessed in turn below.

Principle of Development

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

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.

The site is within the defined settlement of Crowland which is a Main Service Centre. Policy 1 sets out that within this type of settlement, 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.

Furthermore, outline planning approval has already been granted for one dwelling under permission H02-0297-23 on 31 May 2023. This permission forms a material consideration in the determination of the current application.

As the proposal is for one dwelling within a defined settlement, the principle of development is acceptable. This is subject to an assessment of the proposals against other relevant material considerations, as set out below.

Design and Visual Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping.

Policy 2 of the Local Plan 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.

Policy 3 accords with the provisions of Section 12 of the NPPF, 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.

At this stage, the proposed scale, appearance and layout of the dwelling is unknown. As such, it is difficult to assess the visual impact of the proposals. Notwithstanding this, the application is accompanied by an indicative site layout plan which shows how a dwelling could be positioned within the site. The indicative layout shows how the dwelling could be set back from the road frontage by approximately 16m, slightly further back than No.77 to the south. An appropriately sized dwelling, garden and front driveway would be provided based on the indicative layout.

There are no dwellings to the north of the site as the site adjoins an area of grass and trees next to Harvester Way. There is a mixture of dwelling types and sizes within the area. The nearest dwelling is 77 Peterborough Road which is a detached two-storey dwelling with a hipped roof form.

The dwelling would be located on a corner plot meaning that the dwelling could be relatively visually prominent within the surrounding area. However, there are various mature trees located to the north of the site which provides a degree of screening from the north. Even if these trees were not there,

based on the indicative layout it is considered likely that a dwelling could be suitably accommodated within the site.

Within the submitted Flood Risk Assessment, it is recommended that the finished floor level of the dwelling is 1m above the ground. This could impact the visual appearance of the dwelling as it is likely that some ground raising would be required to facilitate this. This was previously accepted as part of outline approval H02-0297-23 and it is not considered that this represents a significant barrier to the development.

Therefore, whilst the site layout remains unconfirmed at this stage, it is considered that the site has the capacity to accommodate a suitably designed dwelling in accordance with Policies 2 and 3 of the Local Plan, and Sections 12 and 16 of the NPPF.

Impact on Residential Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; 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 Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The appearance, scale and layout of the development would be assessed at the reserved matters stage; however, the plot size is comparable to various plots within the area. As such, it is considered that a suitably sized dwelling and garden could be achieved within the site.

Given the plot size it is expected that the dwelling frontage will face eastwards toward Peterborough Road. Any first-floor rear elevation windows would face towards the detached garage and frontage driveway of 1a Harvester Way. It is considered that there would be suitable separation distances between the rear elevation of any dwelling within the site and the nearest dwellings to the west of the site.

It is noted that concerns have been raised within the public representation that has been received regarding the potential for overshadowing of 1a Harvester Way. 1a is a 1.5 storey bungalow located to the west of the site. It is unlikely that the proposed dwelling would result in an unacceptable loss of daylight to 1a Harvester Way due to its likely position within the site. For example, the dwelling is likely to contain a rear garden that is of a similar depth to 77 Peterborough Road which will reduce the potential for overshadowing as the dwelling would not be directly adjacent to the dwelling within the plot of 1a Harvester Way.

Therefore, the site has the capacity to accommodate a design that would have an acceptable impact on the residential amenity of neighbouring dwellings and future occupants. As such, the proposal is considered to accord with the provisions of the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 36 and Appendix 6 of the Local Plan, set out minimum vehicle parking standards. The standards require at least two spaces for dwellings of up to three bedrooms, and three spaces for dwellings with four or more bedrooms.

Lincolnshire County Council's Highways Team have raised some queries with the proposals. For example, the team have queried why the access is proposed to be 5m wide when the minimum requirement is 2.5m. The team have queried whether a boundary treatment will separate the dwelling and 77 Peterborough Road. Lastly, the Highways Team have recommended that the height of the front boundary hedge is reduced to 1m in height to improve visibility splays from the site. The front boundary hedge is outside the red line boundary and it is not considered necessary to require this to be reduced in height as part of the current proposals. Whilst the access is relatively wide, this does not mean that the access is unsuitable. The access is already in place with a dropped kerb from Peterborough Road. Further details of the proposed boundary treatments can be secured at the reserved matters stage as the landscaping of the site needs to be confirmed as part of any reserved matters application.

It appears that the existing attached garage on the side of 77 Peterborough Road would need to be demolished or at least partially demolished to facilitate the proposed development. Furthermore, some of the existing front driveway area would no longer be within the curtilage of 77 Peterborough Road; however, there would still be sufficient room for parking and turning at the front of 77 Peterborough Road.

Therefore, the proposal is likely to have an acceptable impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the NPPF.

Flood Risk and Drainage

Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.

Policy 2 of the Local Plan requires proposals to meet sustainable development considerations including in relation to sustainable drainage and flood risk (part 7).

Policy 4 of the Local Plan requires proposals in Flood Zones 2 and 3 to be supported by sufficient information relating to flood risks associated with the development.

The site lies within Flood Zone 3, as identified within the Environment Agency's Flood Maps. Policy 4 of the Local Plan sets out that development in Flood Zones 2 and 3 will be permitted in instances where specific criteria is met.

The proposed development is classed as a 'more vulnerable' use, according to Annex 3 of the NPPF. The proposed development is therefore required to pass the sequential and exception tests.

The application is accompanied by a Flood Risk Assessment (FRA), within which section 3 sets out how the applicant considers that the proposed development passes the sequential and exception tests.

The NPPF requires the application of a sequential test to ensure that new development is in areas with the lowest probability of flooding. Paragraph 8.3.6 of the SFRA sets out that the search area for the sequential test should be the whole of the council area unless the functional requirements of the development justify a reduced search area. Notwithstanding this, National Planning Practice Guidance (NPPG) sets out that the sequential test should be applied proportionately, and the search area should always be appropriate to the nature and scale of the proposal (Paragraph 027a Reference ID:7-027a-20220825). The NPPG also sets out the following:

Paragraph 27: *"In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied."*

Paragraph 27a: *"For a non-major housing development, it would not usually be appropriate for the area of search to extend beyond the specific area of a town or city in which the proposal is located, or beyond an individual village and its immediate neighbouring settlements."*

Therefore, a settlement-wide search of Crowland would typically be required to establish if there are sequential preferable locations for the development in a lower risk flood zone. There are some

areas within Flood Zone 1 in Crowland, largely to the north of the site towards the centre of the settlement; however, large areas of Crowland and the surrounding areas are within Flood Zones 2 and 3.

The submitted FRA contains relatively limited evidence of a settlement wide search. Reference is made to the council's 5 Year Housing Land Supply Assessment as reference is made to four large allocated sites within Crowland which are within potential depths of 0.5 and 1m. As such, the FRA concludes that it is unlikely that there are available sites within Crowland that are within a lower risk flood area. It is considered that further information should have been provided to consider available sites such as a search of land for purchase. Notwithstanding this, there is an extant outline permission for one dwelling within the site (H02-0297-23). To remain valid, a reserved matters application would need to be submitted by 31 May 2026. As such, this represents a fallback position as the principle of residential development within the site has already been established previously and it is considered that the development has passed the sequential test in this instance.

In terms of the exceptions test, Paragraph 178 of the NPPF requires the following to be demonstrated:

- "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 terms of part a, the development would make a contribution to local housing supply which could benefit the community as future occupants could help sustain local services and facilities. National Planning Guidance sets out that examples of wider sustainability benefits can include the re-use of brownfield land and the provision of sustainable drainage systems (Paragraph: 036 Reference ID: 7-036-20220825). The application form indicates that the proposed means of surface water drainage is via a sustainable drainage system. It is unclear if this would be feasible at this stage as the application is not accompanied by further details. Therefore, it would be appropriate to include a condition requiring further details to be provided.

In terms of part b, the SFRA sets out at Paragraph 9.1.5, that there are a range of factors to be considered when determining whether or not a development is 'safe'. 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. Within the SFRA, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is mostly within a 'Danger to Most' hazard rating area, and a very small portion of the western side of the site is within a 'Danger to All' hazard area. The submitted FRA recommends that the finished floor level of the dwelling is 1m above the surrounding ground level and there is 0.3m of flood resilient construction above the finished floor level. This is in line with the recommendations of the SFRA and as such, it is considered that the development accords with part 6 of Paragraph 178 of the NPPF.

It is considered that an appropriate level of flood risk mitigation is proposed, and the development would remain safe from current and future surface water flood risk for the lifetime of the development. As such, it is considered that the proposal accords with Policy 4 of the Local Plan and the intentions of the NPPF in terms of flood risk.

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.

When taking the above into account, the development in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements.

It is noted that the council's ecology officer has requested an updated BNG assessment to assess the biodiversity baseline value of the site; however, it is considered that the proposal would fall under the de minimis exemption as the site currently comprises part of the driveway for 77 Peterborough Road, gravelled part of the garden, an attached garage and an outbuilding. There is a tree and a small portion of hedgerow at the front of the site; however, this is unlikely to provide more than 25sqm of habitat. As such, the proposal is considered to be exempt from the requirement to provide BNG.

The council's ecology officer has recommended the integration of a universal next brick and a bat box into the development. These measures can be secured via a planning condition.

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 principle of one dwelling within the site represents appropriate development within the defined settlement boundary. The application is in outline form only and as such, the proposed visual impact of the development is unclear at this stage; however, it is considered that the site has the capacity to accommodate a suitably designed dwelling. Therefore, the development accords with the Local Plan and the NPPF. 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, 10, 11, 17, 28, 30 and 36 (including Appendix 6) of the Local Plan, along with the identified sections contained within the NPPF. There 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.