

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0257-25 **Applicant:** Crowland Parish Council

Proposal: Proposed cemetery, amenity building, associated parking and landscaping

Location: Land Off James Road Crowland Spalding

Terminal Date: 16th May 2025

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
05	Meeting Physical Infrastructure and Service Needs
28	The Natural Environment
29	The Historic Environment
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
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 8 - Promoting healthy and safe communities
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

National Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0

PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
HISTORIC ENVIRONMENT OFFICER	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	1

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks full planning permission for a cemetery, an amenity building, associated parking and landscaping. Vehicular access to the site is proposed from an existing access off James Road which currently provides access to an allotment site.

Site Description

The application site comprises land to the south-east of James Road, Crowland. The site comprises approximately 0.92ha of land, which is located to the south-east of James Road. The site is located on the south-eastern edge of Crowland between James Road and the A16. There is an allotment site to the north-east of the site, a tree belt to the north and north-west of the site.

The site is outside the settlement boundary of Crowland, as identified by the South East Lincolnshire Local Plan (2019) and the accompanying policies map. The site is therefore within the countryside in planning policy terms.

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

Planning History

H02-0259-15: (Outline Application) Proposed residential development, replacement allotments and new cemetery including woodland burial plots, associated infrastructure and new accesses - approved 11 February 2016

H02-0771-18: (S73 Application) Proposed residential development, replacement allotments and new cemetery, including woodland burial plots, associated infrastructure and new accesses - approved under H02-0108-18 - Modification of Condition 5 relating to affordable housing - approved 23 October 2018

The following application overlaps the site access but not the rest of the site:

H02-0579-17: (Full Application) Proposed replacement allotments, storage building, new access

and parking area - approved 07 August 2017

Consultation Responses

North Level Internal Drainage Board: No objections.

Historic Environment Officer: Thank you for consulting us on this application. It is noted that the applicant has not provided an assessment of the heritage potential of the proposal, as outlined in the NPPF (paragraph 207). Likewise, the design and access statement accompanying the application does not scope in the historic environment' Recommendation: Currently there is insufficient specific information on the heritage potential for the site and the extent of impact to the historic environment from the proposed development. I recommend that the applicant submit the results of a Heritage Impact Assessment (HIA). This will be in accordance with Historic England Advice Note 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets. This HIA will aim to determine the significance and character of any heritage assets which could be impacted by the proposed development as noted above. This information should be provided with the application so that an informed planning recommendation can be made and to meet the requirements of the National Planning Policy Framework (NPPF) paragraphs 207 and 218. This will also help inform an appropriate evaluation/mitigation strategy for the proposed impact if necessary and should permission be subsequently granted.

Environmental Protection: No comments regarding land contamination and environmental protection.

Environment Agency: The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if a condition is included requiring the development to be carried out in accordance with the submitted FRA.

Lincolnshire County Council - Highways and SUDS:

First Response (09 April 2025): A Simple Transport Statement is required. We need to be sure of the impact this could have on the highway network. Details required on vehicle and pedestrian movements associated with the proposal. It is noted that no pedestrian footway is proposed into the site - what is the justification for this? Road widths to be detailed on the block plan along with a swept path detail for the largest vehicle that will be accessing the site.

Second Response (12 May 2025): No objections. The proposal already has approval under 0771-18 and earlier applications this forms an amended layout submitted under a separate application so as not to complicate the existing Section 106 Agreement. I am happy with the parking justification; the access road and footway connections are already in place from the previous applications. The proposal will not have an adverse impact on the public highway.

Crowland Parish Council: No response received.

Cllr B Alcock: No response received.

Cllr J R Astill: No response received.

Cllr A Harrison: No response received.

Anglian Water: No response received.

SHDC Tree Officer: No response received.

Ecology Officer: No response received.

SHDC Waste: 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 letter of representation has been received. The key issues raised within the response are summarised below:

- Any removal or reduction of the tree line would increase noise pollution, adversely affecting the living conditions
- St. James Road has already experienced a significant increase in development, leading to heavy traffic, particularly during peak hours in the morning. Additional development, such as the proposed cemetery, will only exacerbate these traffic issues, causing further congestion and potential safety concerns for local residents. Infrastructure in this area is already under strain, and additional vehicles, including funeral processions, may further worsen the situation.
- The proposed cemetery will negatively impact the aesthetic value of homes. The view currently consists of open land, and a cemetery will be an unsightly addition, detracting from the overall appearance of the area.
- The development could devalue a property.

It should be noted that the devaluation of a property is not a material planning consideration and as such this cannot be taken into account in the determination of the application.

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. A Neighbourhood Plan has been designated for Long Sutton, however, a draft version of the plan has not yet been issued.

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

- Principle of Development;
- Design and Visual Impact;
- Impact on Amenity;
- Flood Risk;
- Highway Safety and Parking;
- Biodiversity; and
- Heritage.

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.

In this case, the site comprises land within the countryside, outside of any settlement boundary. Section D of Policy 1 sets out that development within the countryside will be permitted that 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 supporting policy text, paragraph 3.2.16 states that "Some land uses may also require a countryside location because of their functionality".

Paragraph 88 of the NPPF sets out that planning decisions should enable the development of accessible local services and community facilities (part d).

The application seeks full planning permission for a cemetery, an amenity building, associated parking and landscaping. Vehicular access to the site is proposed from an existing access off James Road which currently provides access to an allotment site. Although the site is within the countryside in policy terms, there is an allocated employment site (CR007) located to the south-west of the site, an existing allotment site to the north-west, a tree belt to the north and north-west, and the A16 to the south-east.

In terms of Policy 1, the proposed development would serve the needs of the local community by providing cemetery space. It is recognised that this type of land use requires a relatively large area of land that often cannot be accommodated within existing defined settlements. The countryside policy area is therefore likely to be an inevitable location for such developments. The proposed development would deliver community benefits in terms of meeting a need for cemetery space. There would be some economic benefits, for example, construction employment would be provided during the operational phase of the development. Some long term employment could potentially be provided as the facilities would need to be maintained. Only part of the site would be constructed on and planting is proposed to help achieve a 10% net gain in biodiversity. Some environmental benefits would therefore be secured in terms of increasing the green infrastructure within the area.

Permission has previously been granted under permission H02-0259-15 in 2016, and H02-0771-18 in 2018, for a cemetery on land to the north-east of the site. Although these permissions were granted prior to the adopted of the current Local Plan, these permissions still form a material consideration in the determination of the current application. The principle of providing a cemetery was found to be acceptable during the determination of these applications.

Furthermore Policy 32 encourages the delivery of community facilities. The principle of development is therefore considered to be acceptable, as the proposed use comprises an appropriate form of development for the location which would be in accordance with the overall principles of the spatial strategy. As such, the proposed development accords with Policies 1 and 32 of the Local Plan and Paragraph 88 of the NPPF.

Design and Visual Impact

Policy 2 of the Local Plan similarly 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 as 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.

The site comprises a relatively flat field which can be seen from the south along the A16. There is an existing tree belt which largely screens the site from the north and north-west of the site. To the north, there is an existing allotment site which includes some boundary fencing and a single storey building which features metal cladding. The site is therefore visible from the surrounding area, however, there is existing screening in the form of trees and vegetation.

The application seeks to use the existing vehicular access to the allotment site to the north of the site and extend this into the site. This would provide access to the proposed amenity building. A car parking area is proposed along the north-western area of the site, in front of the proposed amenity building. An area for the burial of urns is proposed near the north-eastern part of the site. A 'green burial area' is proposed along the western area of the site. This area could include biodegradable caskets, shrouds etc. Burial plots are proposed further to the south-east, and a 'phase 2' area is proposed within the south-eastern part of the site. This area is likely to include burial plots. The council's environmental health team have not requested further information regarding the potential impact of the proposed green burial area. As such, the impact of this area is considered to be

acceptable in terms of ground conditions.

The proposed amenity building would feature one storey and a gable end roof form. The building is proposed to measure 8.1m by 5.2m. The building would measure 4.5m up to the ridgeline and 2.6m up to the eaves. The building is proposed to feature red brickwork. Double doors are proposed on the front and rear elevations. No other doors or windows are proposed. The scale of the building is not significant and there is a larger scale building to the north of the site where the allotments are located. It is therefore considered that the visual impact of the building is acceptable.

The proposed development would have an acceptable impact on the character and appearance of the area and would therefore accord with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on 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 sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There are no dwellings next to the site. The nearest dwellings to the site are located to the north-west of the site on the opposite side of James Road, approximately 60m from the site. There is an existing woodland area between the site and the nearest dwellings and as such, the proposed cemetery would not be highly visible from the nearest dwellings. The proposed development would result in an increase in the number of people visiting the site compared to the current use of the site which is agricultural. However, the proposed cemetery is for interments only and there would be no crematorium. Therefore the number of visitors to the site would be limited to those who are invited to an interment or visiting graves and urns, as opposed to a funeral or cremation where numbers of attendees are greater.

The proposed use of the land is therefore expected to have an acceptable impact on the amenity of the nearest dwellings. As such, the proposed development accords with the provisions of the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

Flood Risk

The site is within Flood Zone 3 as identified by the Environment Agency's flood risk maps. The maps do not take into account any flood defences and large areas of South Holland are located within Flood Zone 3. Policy 4 of the Local Plan sets out that development within Flood Zone 3 will be permitted in instances where specific criteria is met.

Within the South East Lincolnshire Strategic Flood Risk Assessment, 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 identified within a hazard rating area of both 'Danger to Most' and 'Danger to Some'.

The SFRA requires the Environment Agency to be consulted on for applications to change the use of land within 'Danger to Most' hazard area. The Environment Agency have been consulted and have recommended a compliance condition is included with any planning permission that is issued for the site requiring the floor levels to be set 0.3m above the existing ground level. This is also recommended within the submitted Flood Risk Assessment

Paragraph 176 of the NPPF sets out that change of use applications should not be subject to the sequential or exception tests. The application is however not only for a change of use of the land within the site. Consent is also sought for the proposed amenity building. The proposed use of the building considered to fall under the category of 'less vulnerable' within Annex 3 of the NPPF. It is therefore not necessary for the proposed development to pass the exception test.

The development is however required to pass the sequential test due to the site's location within Flood Zone 3. Large parts of the district of South Holland lie within Flood Zone 3, including land

around the site. The cemetery is proposed to serve the local community within Crowland. Therefore, there is a functional need for the cemetery to be located in or around Crowland. It is not considered to be feasible or reasonable for the cemetery to be located on land that is within a lower risk flood zone. It is therefore considered that the sequential test is passed.

Policy 4 of the Local Plan clarifies that "change of use of existing buildings will be supported providing they do not pose an increase in risk to people". The proposed development would not pose an increase in risk to people. It is therefore considered that the proposed development accords with Policy 4 of the Local Plan and the intentions of the NPPF in terms of flood risk management.

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 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

The proposed development seeks to use the existing access from James Road which provides access to the allotment site to the north of the site. The access is proposed to be extended into the site and various parking spaces are proposed both in front of the amenity building, and near the site access at James Road.

Lincolnshire County Council's Highways and SUDS team requested further information including a transport statement to indicate anticipated vehicle and pedestrian movements associated with the proposed development. An amended site plan has also been provided to demonstrate that a fire engine can enter and exit the site. The highways team subsequently reviewed this information and confirmed that they have no objections to the proposed development. No conditions have been recommended. It is however considered appropriate to include a compliance condition requiring the parking spaces to be in place prior to the first use of the development in the interests of highway safety.

The proposal would therefore have an acceptable impact in terms of highway safety and as such, the proposal would accord with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Biodiversity

Section 15 of the NPPF promotes the conservation and enhancement of the natural environment. Paragraphs 187 and 192 set out that sites of biodiversity value should be protected. Paragraph 187(d) for instance sets out that planning decisions should provide net gains for biodiversity.

Policies 28 and 31 of the Local Plan ensure the preservation and enhancement of the natural environment and that suitable mitigation and adaptation to the climate crisis is in place. Policy 28 also requires proposals to provide a net gain in biodiversity.

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) introduced the requirement for applications to establish a 10% Biodiversity Net Gain (BNG), demonstrated through standard units.

The application is accompanied by an Ecological Appraisal and Biodiversity Net Gain Statement.

The assessment summarises that no protected species surveys are considered to be necessary due to the low potential for such species within the site. According to the submitted information, the proposed development can deliver a net gain of at least 10%. The council's ecology officer has not provided a consultation response for the application, however, it is considered that the site has the capacity to accommodate 10% net gain. This will be secured via conditions. The proposal would therefore accord with Policies 28 and 31 of the Local Plan and Section 15 of the NPPF.

Heritage

Lincolnshire County Council's Historic Environment Team have requested a Heritage Impact Assessment. The team considers that the HIA will aim to determine the significance and character of any heritage assets which could be impacted by the proposed development. The site is not within a Conservation Area, nor are there any listed buildings on or next to the site. Paragraph 208 of the NPPF sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. No assets have been identified by the Historic Environment Team in this case. As such, it is not considered necessary for a HIA to be submitted with the application in this instance.

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 development hereby proposed does not materially harm the character or appearance of the locality or the amenity of nearby residents. It is considered that the proposed vehicular access and parking arrangements are suitable. The proposed development is considered to accord with the Local Plan and the provisions of the NPPF when viewed as a whole. 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 accord with Policies 1, 2, 3, 4, 28, 32 and 36 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.