

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0288-25 **Applicant:** Mr D Mohammed

Proposal: Retention of static caravan as site office and equipment storage - retrospective

Location: Crowland Car Wash Carrington Drove East Crowland

Terminal Date: 11th November 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
07	Improving South East Lincolnshire's Employment Land Portfolio
30	Pollution

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

The application seeks full planning permission for the retention of a static caravan as a site office and for equipment storage, to be used in conjunction with a car wash business. The application is retrospective as the caravan was supposed to be removed by 25 July 2024 as this was required by condition 2 of permission H02-0865-17.

Site Description

The site comprises land at Crowland Car Wash, which is located to the south-east of James Road, on the south-eastern edge of Crowland. There are agricultural fields to the east, south and west of the site. To the north, there is an area of trees covering approximately 0.7ha. There is residential development to the north and further to the west of the site on the opposite side of James Road.

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

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

Relevant Planning History

H02-1000-93: (Full Application) Use for manufacture of concrete products, storage and sales. New workshop and offices - withdrawn 22 August 1994

H02-1073-93: (Full Application) Use for manufacture of concrete products, storage and sales. New workshop - approved 10 May 1995

H02-0988-10: (Full Application) Rebuild fire damaged workshop including use for vehicle sales and repairs - approved 26 January 2011

H02-0369-11: (Discharge of Conditions) Details of external materials and landscaping (Conditions 3 and 4 of H02-0988-10) - approved 20 June 2011

H02-0370-11: (Full Application) Part change of use to hand car wash, new access and retention of static caravan for use as site office (retrospective) approved 21 July 2011

H02-0865-17: (Full Application) Part change of use of land to hand car wash, new access and retention of static caravan as site office (retrospective) - approved 25 July 2019

Consultation Responses

Responses have been received from the below referenced consultees. The responses are summarised below, however, the responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS: No objections. The proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

North Level District Internal Drainage Board: No objections.

Ecology Officer: No response received.

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.

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, no letters of representation have been received.

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;
- Biodiversity Net Gain; and
- Flood Risk.

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 outside the settlement boundary of Crowland and as such, the site is within the countryside in planning policy terms. Notwithstanding this, the car wash business was granted approval in 2011 under application H02-0370-11. This included the retention of the caravan for use as a site office. Approval was subsequently granted in 2019 under application H02-0865-17 to retain the caravan. Therefore, the car wash business has been operating since at least 2011. Furthermore, the caravan has been on site since at least 2011, equating to 14 years.

Policy 7 of the Local Plan allows for the extension of existing businesses outside allocated employment sites provided the proposal involved the re-use of previously developed land or the conversion / re-use of redundant buildings. In this case, no extensions are proposed nor is it proposed to intensify the existing use of the site. The proposal instead seeks to retain a caravan to allow the car wash business to continue to operate as it has done since 2011.

The caravan is a relatively small flat roofed structure located on the western edge of the site. The caravan has been painted dark blue. It is considered to be a proportionate building within the wider site as there are larger buildings of a commercial and industrial character to the south of the building. The caravan is used for storing equipment and as a refuge for staff during inclement weather. The caravan does not contain any toilets or running water.

Whilst the caravan was only initially granted temporary approval due to the nature of its structure and appearance, the caravan has been in place for a significant period. The car wash business was granted permanent approval and as such, any visual and amenity impact of the car wash business was not approved on a temporary basis. It is not considered that the retention of the caravan on a permanent basis would not result in a significant detrimental impact on the character and appearance of the area as the site will still operate as a car wash facility. The proposal would not result in an increase in site activity as the application does not seek to install new buildings or structures.

Therefore, the principle of development is considered to be acceptable in this case, as the retention of the caravan would have an acceptable impact on the character and appearance of the area. As such, the proposed development accords with Policies 1 and 7 of the Local Plan.

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 is considered to be exempt from the statutory BNG requirement as the proposed would fall under the de minimis exemption. For example, no extensions are proposed, and the site would remain largely unchanged.

Flood Risk

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 4 of the Local Plan sets out that development within Flood Zone 3 can be permitted in instances where specific criteria is met.

The site is within Flood Zone 3; however, the proposals do not seek to extend the caravan nor to erect any new buildings. The impact of the proposals in flood risk terms will, therefore, remain unchanged. The caravan would not be occupied by people as it is only used by staff as a place of temporary refuge during inclement weather. Therefore, in flood risk and drainage terms, the

development satisfactorily accords with Policy 4 of the Local Plan and Section 14 of the NPPF.

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 proposed development is appropriate and would not materially harm the character or appearance of the locality, or the amenity of nearby residents. The development is acceptable in terms of flood risk and overall the proposed development accords with the Local Plan and the NPPF.

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 these factors into consideration, the proposed development accords with Policies 1, 2, 3, 4, 7 and 30 of the Local Plan, as well as Sections 11, 12 and 14 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

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