

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H02-0674-26	Applicant:	LG Design & Build Ltd
Proposal:	Replacement Dwelling and Detached Garage		
Location:	Bank House Dowsdale Bank Crowland		
Terminal Date:	1st October 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
22	Replacement Dwellings in the Countryside
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework August 2026

Section 2 - Plan-making policies (PM1 - 17)
 Section 3 - Decision-making policies (DM1 - 10)
 Section 4 - Achieving sustainable development (S1 - S6)
 Section 6 - Delivering a sufficient supply of homes (HO1 - 13)
 Section 12 - Making effective use of land (L1 - 3)
 Section 14 - Achieving well-designed places (DP1 - 4)
 Section 15 - Promoting sustainable transport (TR1 - 8)
 Section 17 - Pollution, public protection and security (P1 - 6)
 Section 18 - Managing flood risk and coastal change (F1 - 9)
 Section 19 - Conserving and enhancing the natural environment (N1 - 9)

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	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for a replacement dwelling and a detached garage. The replacement dwelling is proposed to feature two storeys.

The existing dwelling comprises a detached two storey dwelling that is set back from the road frontage within the plot. A caravan is currently sited within the site; however, this is proposed to be removed and a detached garage is proposed instead of the temporary caravan structure.

Site Description

The site comprises a parcel of land located to the north-west of Dowsdale Bank. There are no dwellings located next to the site and the site is mostly surrounded by agricultural land.

The site is located outside any defined settlement boundary, as identified within the South East Lincolnshire Local Plan (2019) and the accompanying policies map.

The site is within Flood Zone 1 as identified by the Environment Agency's flood risk maps.

Relevant Planning History

No planning applications have previously been submitted within the site.

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 the South Holland website.

Crowland Parish Council:

CPC have no objection, provided it meets the requirements of the replacement criteria.

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:

This proposal is for replacement dwelling and detached garage and the access and parking

arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

Environmental Protection:

No comments regarding land contamination.

North Level Internal Drainage Board:

No objections.

Ecology Officer:

Having reviewed this application, I believe that this application will require a Preliminary Ecological Assessment with a protected species survey (primarily Barn owl and Bat) to be provided pre-determination. The results from this PEA may reveal the need for more detailed species surveys. Local Planning Authorities have a statutory duty to consider the conservation, protection, and enhancement of biodiversity when determining planning applications. In addition, the presence of certain habitats, species, and designated sites protected by UK and European law on or near to a development site is a material consideration within the planning process. For these reasons, it is important that a Preliminary Ecological Appraisal is provided to help identify and evaluate any features of ecological interest on/adjacent to a proposed development site, and identify any potential mitigation measures required in line with the exiting wildlife legislation and planning policies. This assessment is often requested prior to planning applications being determined as it helps ensure that any mitigation methods to protect specific species are feasible implemented before the proposed development can be signed off.

Cllr B Alcock: No response received.

Cllr J R Astill: No response received.

Cllr A Harrison: No response received.

Lincolnshire Bat Group: 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 representations have been received from members of the public.

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, August 2026 (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, Layout and Impact on the Character and Appearance of the Area;
- Impact on Residential Amenity;

- Highway Safety and Parking;
- Biodiversity Net Gain; and
- Impact on Ecology.

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 any defined settlement boundary and as such, the site is within the countryside in planning policy terms. Part D of Policy 1 sets out that within the countryside, development 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.

Notwithstanding the requirements of Policy 1, Policy 22 of the Local Plan allows for the replacement of dwellings in the countryside provided the policy criteria are addressed. As these criteria largely relate to the design and visual impact of the proposals, the proposals are assessed against the requirements of Policy 22 within the following section of this assessment.

Policy S5 of the NPPF is also considered to be relevance in this case as Policy S5 only allows for certain forms of development outside of settlements. Part c of Policy S5 allows for the replacement of an existing building outside a settlement provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and the replacement building is not disproportionately larger than the one it replaces. The scale of the dwelling is considered within the subsequent section of this assessment.

Design, Layout and Impact on the Character and Appearance of the Area

Policy DP3 (Key principles for well-designed places) of the NPPF states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

Policy 2 of the Local Plan outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 of the Local Plan 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 parcel of land located to the north-west of Dowsdale Bank. There are no dwellings located immediately next to the site and the nearest dwellings are located sporadically along Dowsdale Bank.

As set out previously, Policy 22 of the Local Plan is particularly relevant in this case as this policy relates to replacement dwellings. Policy 22 sets out that proposals for the erection of replacement dwellings outside defined settlement boundaries will be permitted provided that:

"1. the residential use of the building to be replaced (the original building) has not been abandoned;

2. the original building is permanent, has not become derelict and is not the result of a temporary permission;
3. the original building is not of architectural or historic merit and is not capable of repair;
4. the replacement building is of a high standard in terms of architectural detailing and materials of construction;
5. the replacement building is positioned on a similar footprint to the original building unless it can be demonstrated that the re-positioning would have beneficial impacts such as improving the character and appearance of the site and its locality; and
6. the replacement building does not exceed the floor area of the original dwelling by more than 40%, unless the development is of exceptional quality or innovative in nature in terms of its design, use of materials and levels of energy efficiency."

In terms of part 1, the site appears to be vacant and disused with some broken windows. The application has not been accompanied by a planning statement and as such, this was queried with the applicant's agent. Despite further information being requested more than once, no further information was provided to clarify the status of the building. Notwithstanding this, the applicant's agent has set out in a phone call that the owner was previously living within a caravan that is positioned within the site whilst attempting to renovate the building. There is a caravan within the site and despite the building showing signs of deterioration, it is not considered that the building has been abandoned. As such, the proposals accord with part 1.

In terms of part 2, it is unclear when the existing dwelling was constructed; however, it is considered that the building is permanent. As set out above, the application is not accompanied by a planning statement and limited information has been provided to clarify the status and condition of the building such as internal photographs. There appears to be signs of disrepair externally such as broken windows. Although this indicates a degree of disrepair it is unclear if the dwelling is derelict.

In terms of part 3, the existing dwelling features a combination of a gable end roof form with pebble dash walls. There is also a side extension and a rear extension. It is not considered that the existing building is of architectural or historic merit. As such, the proposals accord with part 3.

In terms of part 4, the replacement dwelling is proposed to feature two storeys, with a gable end roof form. A two-storey front projection is proposed which would also feature a gable end. The front elevations of the dwelling would be symmetrical, and a large window is proposed at the first-floor level within the centre of the building, adding a contemporary element to the dwelling. The external materials are set out within the application form and include Forterra Hampton Rural blend brickwork, Marley Modern interlocking dark grey tiles and anthracite UPVC windows and doors. The overall design is considered to be acceptable and as such, the proposals are considered to accord with part 4.

In terms of part 5, the replacement dwelling would be positioned within a similar building footprint as the existing dwelling.

In terms of part 6, the application has not been accompanied by a first-floor plan of the current dwelling and as such, it is difficult to calculate the exact floor area. Notwithstanding this, based on the ground floor plan that has been submitted, the first-floor area has been calculated approximately. The existing dwelling is likely to have a floor area of approximately 124sqm, whereas the proposed dwelling would cover approximately 212sqm. This represents an increase of 71% which exceeds 40%. Therefore, the proposal does not strictly accord with part 6; however, it is recognised that in this case the existing dwelling features two storeys and the replacement dwelling also features two storeys. It is not considered that the increase in scale would have a detrimental impact on the character and appearance of the area as the dwelling would be contained within its existing plot in a similar position. As such, it is considered that the replacement dwelling would be of a similar scale to the existing dwelling. As such, the proposed increase in floor area is considered to be acceptable in this case.

Therefore, it is considered that the proposals broadly accord with Policy 22 despite the lack of clarity provided regarding the status of the dwelling, including when it was last occupied or its state of repair.

The development includes a replacement dwelling and a garage. Policy 22 does not specifically refer to outbuildings associated with replacement dwellings; however, in this case the garage is considered to be of a suitable design and proportionate scale.

Policy 22 also sets out the following:

"Where permission is granted, Permitted Development Rights may be removed in order to control future alterations or extensions that may impact on the appearance and character of the surrounding area."

Any further extensions or outbuildings could potentially prejudice the character and appearance of the area. As such, it would be considered appropriate to restrict permitted development rights for extensions to the dwelling and outbuildings within the plot.

As set out previously, Policy S5 of the NPPF sets out that a replacement dwelling should not result be disproportionately larger than the dwelling it replaces. Although the dwelling would be larger than the dwelling it replaces, it is not considered that the replacement building would be disproportionately larger.

Therefore, it is considered that the development would have an acceptable impact on the character and appearance of the area, in accordance with Policies 2, 3 and 22 of the Local Plan, and Policies DP3 and S5 of the NPPF.

Impact on Residential Amenity

Policy P3 (Living conditions and pollution) of the NPPF sets out that development should provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution. The policy also sets out that proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.

Policies 2 and 3 of the Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

It is considered that future occupants would be provided with sufficient internal living space and external amenity space. For example, the dwelling accords with the nationally described space standard.

There are no dwellings located next to the site and the nearest dwelling is located approximately 80m to the north-east of the site, on the opposite side of Dowsdale Bank. Therefore, the proposed replacement dwelling is unlikely to affect the amenity of the nearest dwelling due to the separation distance between the properties.

Therefore, the proposal would have an acceptable impact on the residential amenity of future occupants and the nearest dwellings in accordance with Policies 2 and 3 of the Local Plan and Policy P3 of the NPPF.

Highway Safety and Parking

Policy TR6 (Assessing transport impacts) of the NPPF sets out that development proposals should only be refused on highways grounds if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement.

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 of the Local Plan sets out 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 and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

No changes are proposed to the existing vehicular access to the site from Dowsdale Bank. It is considered that there could be sufficient room within the site for parking and turning within the site. Furthermore, Lincolnshire County Council's highways team have not set out any objections to the proposals.

Therefore, the proposed development would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3 and 36 of the Local Plan, as well as Section 15 of the NPPF.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

The application is accompanied by a BNG exemption statement setting out that the proposal is exempt from the requirement to provide BNG as the site area does not exceed 0.2ha. In this case, the site area covers 970sqm of land and does not include priority habitat. As such, it is agreed that the proposal is exempt.

Impact on Ecology

Policy N2 of the NPPF sets out that proposals should minimise any adverse impacts on biodiversity and include features which support priority or threatened species including bats.

Policy 28 of the Local Plan sets out that a high quality, comprehensive ecological network of interconnected designated sites, sites of nature conservation importance and wildlife-friendly greenspace will be achieved by protecting, enhancing and managing natural assets. Policy 28 sets out that proposals should maximise the opportunities for restoration, enhancement and connection of natural habitats and species of principal importance.

The supporting policy text for Policy 22 also sets out the following at Paragraph 5.14.8

"There is the potential for existing rural dwellings to be home to a variety of protected species, including bats and barn owls. These species are sensitive to disturbance and therefore at risk from building works. They are also protected under the 1981 Wildlife and Countryside Act (as amended), with bats being afforded additional protection by the Conservation of Habitats and Species Regulations 2010. Consequently, an ecological survey will be required where species protected by law or priority species listed under Section 41 of the Natural Environment and Rural Communities Act 2006 have the potential to be present."

As set out previously, the council's ecology officer considers that a Preliminary Ecological Appraisal

is required in this instance to establish if any surveys are required; however, the officer considers it likely that a barn owl and bat survey would be required. A PEA has not been submitted with the application.

As per 'Government Circular 06/2005: Biodiversity and Geological Conservation Statutory Obligations and their Impact within the Planning System', the presence of a protected species is a material consideration when considering a development proposal that could result in harm to protected species. The Circular sets out that where there is a reasonable likelihood that protected species could be present, surveys must be provided before the planning permission is granted and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted. If surveys have not been undertaken, all relevant material considerations may not have been addressed in making the decision. This has been upheld within relevant caselaw.

It is not considered that there are exceptional circumstances in this case that would justify securing protected species surveys via a planning condition. Therefore, in the absence of a PEA and / or protected species surveys, potential harm to protected species of bats cannot be ruled out. As such, the proposal conflicts with Policy 28 of the Local Plan, Policy N2 of the NPPF and Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017.

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 a replacement dwelling is considered to be acceptable as the proposals would accord with Policies 2, 3 and 22 of the Local Plan and Policies DP3 and S5 of the NPPF. The proposal is also considered to be acceptable in terms of its impact on residential amenity, highway safety and biodiversity net gain.

However, insufficient information has been provided to establish if there are protected species within the site. As set out above, in the absence of a PEA and / or protected species surveys, potential harm to protected species of bats cannot be ruled out. As such, the proposal conflicts with Policy 28 of the Local Plan, Policy N2 of the NPPF and Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017.

The conflict with these policies and the Conservation of Habitats and Species Regulations 2017 is considered to weigh heavily against the proposal and as such, the planning balance is against 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

The proposal is considered to conflict with Policy 28 of the Local Plan, Policy N2 of the NPPF and Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017. These are 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 refused under delegated authority.