

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0720-25 **Applicant:** A D, R M, J M & B Alcock

Proposal: Details of improvement of biodiversity through the site by the introduction of new habitats as set out in the Amended Design & Access Statement Rev B - Dated August 2019, written scheme of archaeological investigation for the entire site, means of surface water disposal & foul water disposal (Conditions 10, 11, 15 & 16 H02-0669-19)

Location: Land North Of Former Crowland Garden Centre James Road Crowland

Terminal Date: 19th September 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks to discharge Conditions 10, 11, 15 & 16 H02-0669-19, relating to the improvement of biodiversity throughout the site by the introduction of new habitats, a written scheme of archaeological investigation for the entire site, means of surface water disposal & foul water disposal.

Site Description

The site is approximately 1.58 hectares in size and is in agricultural use. It is located to the north-east of Crowland. To the south lies the existing garden centre, now closed, which was accessed by Postland Road. Further open agricultural land lies to the north, east and west.

The site is located outside of, and removed from, the settlement boundary of Crowland as identified within the South East Lincolnshire Local Plan adopted in March 2019. The land sits within Flood Zone 3, on land identified as Danger for all.

Relevant History

H02-0285-23 - Reserved Matters - Erection of 6 dwellings and associated works - outline approval
H02-0669-19 - Approved 7 September 2023

H02-0669-19 - Outline - Outline Application for the erection of 6 self-build eco-homes with access from James Road (re-submission of H02-0868-17) - Approved 3 April 2020

H02-0868-17 - Outline - Outline application for the erection of up to 6 dwellings with access from James Road. Refused 7 September 2018

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Lincolnshire County Council Historic Places Team

"Thank you for consulting us on this. The submitted archaeological WSI meets the required standards, and we can recommend discharge in full of Condition 11 of H02-0669-19 (Details of written scheme of archaeological investigation) "

Highway and Lead Local Flood Authority

"This is a private drive of less than 10 dwellings. It is for the Local Planning Authority to assess the conditions to be discharged"

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

Condition 10 - Biodiversity Enhancement

Wording

Prior to development commencing on site, details of the improvement of biodiversity through the site by the introduction of new habitats as set out in the Amended Design & Access Statement Rev B - Dated August 2019 shall be submitted to and approved by the Local Planning Authority. The improvement measures shall be installed and maintained in accordance with such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Assessment

It should be noted that this condition was imposed prior to the statutory requirement for biodiversity net gain, mandated by Schedule 7A of the Town and Country Planning Act, 1990. Therefore, the norms associated with a contemporary net gain application, such as a gain plan and metric, would not be required here.

The submitted details are acceptable. The document, Biodiversity Management Plan, produced by Rachel Hacking Ecology, clearly shows how new habitat will be created and how it will be maintained for the period of 5 years specified in Condition 10. The details provided are considered

proportionate and acceptable.

As such, Condition 10 can be discharged.

Condition 11 - Archaeology

Wording

No development shall take place until a written scheme of archaeological investigation for the entire site has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Assessment

The submitted Written Scheme of Investigation is considered acceptable. The comments from the LCC Historic Places Team have confirmed that the scheme's acceptability. As such, Condition 11 can be discharged.

Condition 15 - Surface Water Drainage

Wording

Before the commencement of the development hereby granted beyond oversight, full details of the means of surface water disposal, designed to sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Assessment

The submitted details show that surface water will run into a rainwater harvesting tank, before entering a SuDs drainage swale. Given the scale of the development, this approach is considered acceptable.

It should be noted that the details provided here were also presented at the Reserved Matters stage in order to meet the requirements of Condition 4. The details were considered acceptable at this stage. As such, it would be inappropriate to request additional details for a scheme that has already been considered acceptable, and to do so would in effect result in an alteration to the Reserved Matters approval.

Condition 16 - Foul Water

Wording

Before the commencement of the development hereby granted, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Assessment

The submitted details show foul water would discharge into a foul treatment plant, which then

connects into a swale. No exact details of the treatment plant have been provided. That being said, given the scale of the proposal, the details provided are considered appropriate.

It should be noted that the details provided here were also presented at the Reserved Matters stage in order to meet the requirements of Condition 4. The details were considered acceptable at this stage. As such, it would be inappropriate to request additional details for a scheme that has already been considered acceptable, and to do so would in effect result in an alteration to the Reserved Matters approval.

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 details provided are considered to meet the requirements of Condition 10, 11, 15 and 16 of H02-0669-19 and therefore the Conditions can be discharged.

Recommendation

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