

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0733-26 **Applicant:** Mr M Blackbird

Proposal: Details of written scheme of archaeological investigation (WSI), written 30-year Habitat Management and Maintenance Plan (HMMP), contamination of land, pollution of controlled waters, foul and surface water disposal, scheme of landscaping and tree planting and schedule of external materials (Conditions 3, 7, 8, 10, 11 and 12 of H02-0545-26)

Location: Land At Blackbird Close Crowland Peterborough

Terminal Date: 30th September 2026

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019****National Guidance****National Planning Policy Framework August 2026****Representations:**

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
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
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks to discharge conditions 3, 7, 8, 10, 11, and 12 of H02-0545-26 relating to a written scheme of archaeological investigation (WSI), biodiversity gain plan, written 30-year Habitat Management and Maintenance Plan (HMMP), contamination of land, pollution of controlled waters, existing and proposed site levels, proposed floor levels of the buildings, hard surfaced areas, garden/amenity areas, foul and surface water disposal, scheme of landscaping and tree planting, schedule of external materials and 3 integrated universal nest bricks.

It should be noted that the initial submission also sought to discharge conditions 6, 9 and 14; however, the LPA considered the detail submitted in respect of these conditions were unacceptable. As such, the application has been revised to omit these three conditions. To reiterate, this assessment and decision relates solely to conditions 3, 7, 8, 10, 11, and 12 of H02-0545-26.

Site Description

The application site is located within the settlement limits of Crowland. It is bound by Peterborough Road to the west and Blackbird Close to the south. A private drive runs along the northern boundary with Kennulphs Close, to the east are two detached dwellings with James Road beyond.

The application site is located in Flood Zone 2 in accordance with the EA Mapping for Planning and in an area categorized as 'low hazard' within the South East Lincolnshire SFRA.

The site at present is vacant and fairly described as an infill site.

Relevant History

H02-0545-26 - Erection of 3 dwellings together with a double garage to Plot 3 - approved under H02-0128-26. Modification of Condition 2 to allow amendments to previously approved plans. Approved 29-07-26

H02-0128-26 - Erection of 3 dwellings together with double garage to Plot 3. Approved 28-04-26

H02-1008-25 - Erection of 3 Dwellings with a Double Garage to Plot 3. Refused 30-12-25

H02-0568-24 - Erection of 3 dwellings with garages - re-submission of H02- 0899-22. Approved

H02-0899-22 - Erection of 3 bungalows & garages. Refused 22-09-23. Appeal dismissed 17-05-24

H02-1082-15 - Residential development 41 dwellings with associated parking and garages. Approved 21-08-17.

H02-0774-18 - Erection of detached dwelling and private drive access. Approved 12-10-18.

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:

Crowland Parish Council

CPC are happy to leave this to the expertise and the professional judgment of the planning department

Highway and Lead Local Flood Authority

The Highway and Lead Local Flood Authority do not wish to make comment on Condition nos. 3, 6, 7, 8, 9, 10, 11, 12 and 14, as these were not requested by ourselves, and the authority has no objection to their discharge

North Level Internal Drainage Board

Please note that North Level District Internal Drainage Board have no objections to the above planning application.

SELCP Ecologist

Initial comments dated 18th August 2026

BNG condition

-We shall require the finalised metric to be provided pre-commencement along side the official gain plan template with all the appropriate details filled out. This template can be found here: Biodiversity gain plan - GOV.UK.

HMMP condition

-We are happy with the level of detail provided within the HMMP for this application, therefore we fully support the discharge of this condition.

Further comments, following revised information, dated 4th September 2026

We require some minor alterations to be made to the biodiversity gain plan before we can support this condition discharge.

-Section 6.3 - area habitat units box should be 0.15

-Section 6.4 - area habitat units box should be 0.16

-Section 6.5 - first box should be 0.02, second box should be 10.52%

-Once these alterations have been made, we are happy to fully support the discharge of the BNG condition for this application.

Historic Environment Officer

Thank you for consulting us on this matter. The submitted Written Scheme of Investigation (WSI) meets the required standards. We can therefore recommend the discharge of Condition 3, relating to the Details of written scheme of archaeological investigation (WSI), attached to planning permission H02-0545-26

Environmental Protection

I have reviewed Lucion Ground Engineering Limited, Site Investigation Report for land at Blackbird Close, Crowland, Report Reference No: 150562, Dated: 2026. I am in general agreement with the findings of this report and have no further comment to make on land contamination and condition 8 can be discharged. However in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority (LPA). An investigation and risk assessment must be undertaken in accordance with details to be agreed with the LPA. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the LPA. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by the LPA. No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA

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.

This can be summarised as follows:

-Plan references do not match the plans attached

-Plans refer to wall which is no longer present

-Queries whether this would impact Condition 15 of H02-0545-26

Key Planning Considerations

Condition 3

Wording

No development shall take place until a written scheme of archaeological investigation (WSI), for the archaeological evaluation phase, 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 strategy for evaluation
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 of archaeological investigation (WSI).

Assessment

The details provided are considered acceptable, as indicated by the consultation response from the Historic Places Team. Condition 3 can therefore be discharged.

Condition 7

Wording

Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the Site in question shall be submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain:

- A) Aims, objectives and targets for management, including habitat target conditions matching the Statutory Biodiversity Metric submitted with the application.
- B) Details of the phasing and implementation of the habitats
- C) Details of the management operations necessary to achieving aims and objectives.
- D) Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.
- E) Details of the monitoring needed to measure the effectiveness of management and details of an assessment as to whether the target condition is achieved within the time to target period specified within the approved metric.
- F) Details of the persons responsible for the implementation and monitoring.
- G) Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.
- H) Reporting on the delivery of on-site gains on years 1, 2, 5, 10, 20 and 30 following the implementation of the habitats in accordance with the above details.

Assessment

The HMMP provided, whilst basic, is proportionate to the site. Whilst the gain plan under Condition 6 is not acceptable, the HMMP is considered appropriate for the site and would secure any gains for

the necessary period.

Condition 7 can be discharged.

Condition 8

Wording

The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall include all of the following measures unless the LPA dispenses with any such requirement in writing:

- i) A preliminary risk assessment (desk study) shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). A full copy of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.
- ii) If identified as being required following the completion of the desk-top study, an exploratory site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed end use. A full copy of the site investigation and findings shall be forwarded to the LPA without delay upon completion.
- iii) Thereafter, a written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the LPA. This shall include details of the proposed verification plan including compliance criteria and monitoring details.

No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

Assessment

The report provided is considered acceptable, as per the comments of the relevant consultee from the Environmental Protection Department. Condition 8 can be discharged.

Condition 10

Wording

Before any development is commenced, full details of the proposed means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems.

Assessment

Foul water would be disposed of to a main sewer. This is considered acceptable, given the scale of the site and its location.

The surface water drainage scheme proposed would be acceptable, and would, should it work as envisaged, ensure the site is suitably drained without impacting other properties. Condition 10 can be discharged.

Condition 11

Wording

Before the commencement of the development hereby permitted beyond oversight, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance.

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, in the opinion of the Local Planning Authority, shall be made good as and when necessary.

Assessment

The landscaping scheme proposed is basic; however, it is appropriate given the setting. The scheme is broadly similar to others in the area. Condition 11 can be discharged.

Condition 12

Wording

Before the commencement of the development hereby permitted beyond oversight (above ground level), a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Assessment

The materials proposed are broadly in keeping with the character of the area. Render and brickwork are both common in the area, and whilst their combination may not be prevalent in the immediate area, within the wider Crowland area it is not an uncommon palette. The proposed tiles and window fitting are typical of the area.

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 submitted details are considered acceptable with regards to Conditions 3, 7, 8, 10, 11 and 12 of H02-0545-26. The conditions are therefore discharged.

Recommendation

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