

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0817-25 **Applicant:** G Khan

Proposal: Change of use of part of land from former bus/coach yard to vehicle storage (Sui Generis) for up to 50 cars - Retrospective

Location: Alderlands James Road Crowland

Terminal Date: 10th 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
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking

National Guidance**National Planning Policy Framework December 2024**

Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	1	0	0	0
WARD MEMBER	0	0	0	1
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS	0	0	0	1

SUPPORT				
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	9	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the change of use of part of land from former bus/coach yard to vehicle storage (Sui Generis) for up to 50 cars, this is a retrospective application.

The proposed plans show the sitting of circa 50 cars centrally within the site. The existing access/egress from James Road is retained. The applicant also proposes to treat the site boundaries with a 1.8m fence.

Site Description

The application site is located outside the defined settlement of Crowland and in the countryside for policy purposes. The application site is located within Flood Zone 3 in accordance with EA flood Maps and the South East Lincolnshire SFRA shows that the site is located in a danger for all max hazard area (with depths greater than 2m).

The site at present is used for the storage of cars, there is remnants of a steel frame structure that is relate to a former use of the site as a council depot. The site is access from James Road, to the south of a dwelling known as 'Alderlands' the site abuts a residential development that is located on its northern boundary.

Visually the site is prominent feature when entering Crowland from the south (A16 and Peterborough Road).

History

H02-0413-17 - Change of use of land for extension of caravan site (retrospective). Refused 05-06-17.

Consultation Responses

North Level IDB

The board have no objection to the application.

Environment Agency

Environment Agency position We have no objection to the proposed development.

Highways & SuDs Support

Requests that the Local Planning Authority request the applicants to provide additional information as set out below.

ADDITIONAL INFORMATION REQUIRED:

It says that the number of cars to be stored will be capped at 50 but the site plan details 54 cars. The Design and Access statement refers to 5 rows of cars with 6m-6.5m aisles for manoeuvring but this is not detailed on the site plan. Reference is made to a small number of spaces for staff and management and turning for a car transporter - this is not detailed on the site plan.

Historic Places Team

Thank you for consulting us on this. Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Environmental Protection Officer

No comments regarding land contamination and this application for proposed vehicle storage.

Parish

Strong objection.

Proposed usage has a detrimental impact on the access into an historic market town. If the site is considered appropriate, substantial screening will be required so that it is not seen by visitors into the town. The remaining land should also be managed appropriately and not just left to rewild. If agreed the storage aspect should be maintained with no trading on site

Public Representations

The application has been advertised in accordance with the requirements set out within the Development Management Procedure Order 2015 (as amended). A number of objections have been received which can be summarised into the following points:

- Character Issues
- Security
- Safety (potential fire risk)
- Pollutants (light, noise)
- Residential Amenity Impacts
- Negative impact upon existing wildlife/ecology

Cllr Comments

A further Councillor objection has been received which states:

The site of the above application is at the main entrance to Crowland and as proposed creates an unsightly approach to the town. It is unclear what the proposed purpose of the business is. Would there be a turnover of vehicles or would the vehicles remain permanently? A greater detail of intention is required to enable a decision to be favourable. Presently there are some vehicles which appears abandoned near the boundary of the site and part way across the site not on the indicted area for storage. The majority of the site has an overgrown weed cover and appears unkept. A lot of tree cover has been removed at the frontage of the site. Should permission be considered suitable screening should be required together with a maintenance plan for the remainder of the site. The western end of the site has had hundreds of tons of spoil dumped and spread across it since the change of ownership which may constitute development. Vehicles appear to be also being parked or stored around the on-site house which raises a question about whether the house remains as part of the development site or to be in separate ownership. The reference to policies outside South Holland appears irrelevant.

Planning Considerations

Evaluation

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.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals.

The key considerations are:

- Principle of Development
- Character and Appearance
- Environmental Issues/Amenity
- Highway Safety
- Flood Risk and Drainage
- BNG
- Planning Balance

Principle of Development

Spatial Strategy

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that 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 housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework 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 in respect of sustainable development 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 application site is located outside of any defined settlement boundary and within the open countryside for policy purposes. The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside.

SELLP Policy 1, which sets out the spatial strategy for the district, confirms the following in respect of these areas:

In 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."

As an expansion, paragraph 3.2.15 (within the policy justification) expands on countryside uses,

stating that "Agriculture and forestry are clearly uses which must function in the Countryside but other uses which may diversify from agriculture and forestry, e.g. recreation and tourism, can meet the broad sustainable objectives of the Local Plan."

The proposal does not appear to meet with any of the allowances for land uses within the open countryside. Therefore, an assessment against the scheme on whether it meets with the broad sustainable objectives of the Local Plan needs to be made.

Commercial use

SELLP Policy 7 is concerned with Improving South East Lincolnshire's Employment Land Portfolio, it is relevant as the proposal relates to a B8 (storage) use. The application site is located within the countryside and away from any employment related allocations. On these matters SELLP Policy 7 states that:

New employment development/businesses or the extension of an existing business outside the above allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously-developed land is not available or is unsuitable, proposals on non allocated sites may be acceptable provided:

- a. the development does not conflict with neighbouring land uses;*
- b. there is no significant adverse impact upon the character and appearance of the area;*
- c. the design is responsive to the local context;*
- d. there will be no significant adverse impact on the local highway network;*
- e. there will be no significant adverse impact upon the viability of delivering any allocated employment site;*
- f. proposals maximising opportunities for modal shift away from the private car are demonstrated;*
- and*
- g. there is an identified need for the business location outside of identified employment areas on the Policies Map.*

Whilst the application site represents previously development land, given the prominent location of this site, there is concern that the application site is not suitable for an open storage use. Therefore points A-G need to be met. Parts a, b, c, d, e, f are all addressed in the remainder of this report, under material topics such as character, amenity and highway safety. However part 'G' is a principle related concern.

The applicant has provided a Design and Access Statement which includes some commentary on the history of the application site; this is summarised into the following statement: "The development stands firmly on historic precedent (coach and caravan yard uses evidenced over decades) and on contemporary policy support (efficient reuse, economic continuity, and rural employment). This dual foundation provides a strong and defensible planning justification for granting permission"

The statement falls short of providing any planning history and it not clear whether the caravan uses were permitted. On file, the Local Planning Authority does have an application for a change of use of land for extension of caravan site, which was refused under H02-0413-17.

In relation to the other uses this site did form once, a council Bus Depot; however the use, especially given the condition of the existing structure on site, has long since been abandoned. The statement therefore does not provide sufficient justification that any fall back exists for such a use of this site.

Moreover, part SELLP Policy 7 point g requires applicants to demonstrate that "there is an identified need for the business location outside of identified employment areas on the Policies Map". Such justification has not been forthcoming. There are a multitude of employment sites located across the district that would provide a suitable open storage solutions, such as the one proposed. Within Crowland itself there are existing and proposed employment areas that have not been discounted.

It is therefore considered that given the lack of justification as regards an identified need, on why this countryside location is appropriate, the proposal would not accord with SELLP Policy 7 part g.

The proposal this in principle terms is considered to be contrary to SELLP Policies 1 and 7.

Character and Appearance

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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, among other considerations.

Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Policy 2 point 1 states that proposals should meet with sustainable development considerations specifically in relation to 'size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses'.

Policy 3 sets out the 'Design of new development' in part it states that "Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable".

Paragraph 187b of the NPPF states that planning decisions should "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;".

The application is for open storage and whilst there are some improvements such as the removal of the metal framed structure from site, the massing of circa 50 vehicles would be detrimental to the character of the countryside in this location and would also have a negative impact upon the appearance of the settlement.

The application site is located in a prominent position, this area a key feature when entering Crowland from the South (or exiting to the south) and the development type proposed would give rise to negative character impacts that are inappropriate in such a location. Furthermore, the scheme would be made worse by the proposed 1.8m fence that would treat the site. The result of the scheme would be to present a harsh commercial interface to the south of the settlement, one that fails to maximise opportunities for improving the character and quality of an area.

The proposed use, by virtue of the open storage of up to 50 vehicles in a prominent location at the entrance to Crowland, would result in a significant adverse impact upon the character and appearance of the countryside and settlement edge. The proposal is considered to be contrary to SELLP Policies 2 and 3, as well as Paragraph 187b of the NPPF.

Environmental Issues/Amenity

Paragraph 135 of the National Planning Policy Framework (December 2024) 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.

SELLP Policy 2 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

SELLP Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important considerations when considering proposals for planning.

The applicant has provided a design and access statement, that contains some information of how the site will be managed. This includes access control and the transportation of vehicles. The statement also lists activities that would not be taking place, some of which include slaes, external tannoy's, valeting etc. Hours are also discussed and these are described as 'day time only' with no Sundays, or evenings.

Objections have been received on the basis of noise and lighting as well as disturbance from movements; however, with the addition of appropriate conditionality on such operational matters the proposal would accord with SELLP Policies 2 and 30 in this regard.

Highway Safety

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. It advises 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.

SELLP Policy 2 details 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.

SELLP 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.

SELLP Policy 36 is concerned with Vehicle and Cycle Parking it states that "All new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6).

Lincolnshire County Council, as Local Highway Authority, have been consulted and have stated that "It says that the number of cars to be stored will be capped at 50 but the site plan details 54 cars. The Design and Access statement refers to 5 rows of cars with 6m-6.5m aisles for manoeuvring but this is not detailed on the site plan. Reference is made to a small number of spaces for staff and management and turning for a car transporter - this is not detailed on the site plan."

Notwithstanding this request for additional information, it is acknowledged that the applicant proposes no changes to the existing access/egress arrangement on James Road and there there is ample space for manoeuvrability within the site. Highways requirements, whilst not ideal, could be overcome through the requirement for a more detailed site plan, showing manoeuvrability within the site as well as staff parking spaces. It is considered that these elements can be conditioned given the concerns do not relate to unacceptable highway safety or residual cumulative impacts.

Therefore subject to conditionality it is possible that the proposal would accord with SELLP Policies 2, 3 and 36 as well as section 9 of the NPPF.

Flood Risk and Drainage

SELLP Policy 4 sets out the districts approach to flood risk, it states (in part) that Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted, where:

It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed). The sequential test will be based on a Borough or District wide search area of alternative sites within the defined settlement boundaries, unless local circumstances relating to the catchment area for the development justify a reduced search area, i.e. there is a specific need for the development in that location. The sequential test is not required for sites allocated in the Local Plan, minor development¹ or change of use (except for a change of use to a

caravan, camping or chalet site, or to a mobile home or park home site). And

The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change.

In terms of the Sequential Test paragraph 27 of the NPPF (Flood Risk) states that "In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied."

The applicant has provided a site specific flood risk assessment that describes the brownfield nature of the site and that the flood risk classification is 'less vulnerable'. The EA have no objection to this development and given that the proposal is for open storage, it is likely that the development will be safe for the lifetime of its development.

On this basis the proposal is considered acceptable as regards flood risk. Furthermore, a drainage strategy is not required as the proposal sought is a change of use of the land, the vehicles would be transient and not fixed. The applicant has also confirmed that no valeting or repairs will be taking place on site. Any leachate from vehicles would need to be reported to the EA and this is covered by Environmental Legislation.

On this basis the proposal is considered to accord with SELLP Policy 4.

Biodiversity Net Gain

SELLP Policy 28 is concerned with the Natural Environment points 2 and 3 are relevant to this assessment, point 2 is concerned with Nationally or locally designated sites and protected or priority habitats and species and point 3 with addressing gaps in the ecological network.

The applicant has provided a Biodiversity Exemption Statement stating that the development is exempt. Given that the proposal is for a change of use only, and that there is existing hard standing all over the site it is considered that the proposal would be de minimis in that it is development that does not impact a priority habitat.

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.

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The proposal seeks retrospective consent for the use of previously developed land for vehicle storage. Whilst it is acknowledged that the re-use of brownfield land can contribute to efficient land use and may support local economic activity, in this case, the benefits of the development are limited. The applicant has not demonstrated any specific operational need for the use to be located outside of allocated employment areas or within a countryside location, contrary to SELLP Policies 1 and 7.

Furthermore, the proposed use, by virtue of the open storage of up to 50 vehicles in a prominent location at the entrance to Crowland, would result in a significant adverse impact upon the character and appearance of the countryside and settlement edge. The resulting visual harm, together with the absence of clear justification for the siting, is considered to weigh heavily against the proposal.

Whilst it is recognised that the scheme would not give rise to unacceptable impacts in relation to highway safety, amenity, flood risk, or ecology (subject to suitable conditions), these neutral considerations do not outweigh the identified conflict with the Development Plan.

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 into account, the proposal would conflict with Policies 1, 2, 3 and 7 of the South East Lincolnshire Local Plan (2019), and the corresponding provisions of the National Planning Policy Framework (December 2024) relating to achieving well-designed places and recognising the intrinsic character and beauty of the countryside. There are no material considerations of sufficient weight to indicate that planning permission should be granted contrary to the Development Plan.