

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0938-25 **Applicant:** AMP Clean Energy

Proposal: Construction of micro energy storage facility

Location: Land At Postland Road & James Road Crowland

Terminal Date: 13th March 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
05	Meeting Physical Infrastructure and Service Needs
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 9 - Promoting sustainable transport
Section 10 - Supporting high quality communications
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
Section 16 - Conserving and enhancing the historic environment

Representations:

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

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

CASE OFFICER ASSESSMENT

Proposal

This is a full application seeking permission for the construction of a micro energy storage facility at land at Postland Road and James Road, Crowland.

The proposal would develop an area which measures 6.13m by 4.05m with the actual micro energy storage facility measuring at 5.98m by 2.75m. It would be sited on a concrete plinth foundation and concrete slab with a 2.4m high wire mesh fence surrounding the storage facility itself.

Site Description

The site is located just outside the defined settlement boundary of Crowland and is therefore within the countryside as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The plot is located near the junction from Postland Road leading out towards James Road and is on a small vacant plot of land. Postland is a primary residential area within the settlement whilst James Road connects up with the A16.

History

No relevant site history.

Consultation Responses

Crowland Parish Council

In principle, this is a positive move to improve local facilities. However, the council objects strongly to the location near to the historic St Guthlac stone and prominently positioned on a main route into the town. The siting should be moved to the back of the verge and suitably screened to make it less visible.

Councillor B Alcock

The proposed location of the battery unit will interfere with the route of an unofficial footpath that occupant of the caravans at the Wayside site regularly use.

It is also located where vehicles have left the road during winter months and could, in further instances, be caused damage.

It is a large unsightly intrusion on a main entry / exit point to the town and would detract from what is a pleasant approach at present.

If it has to be in the general location a much more sensitive and less visually damaging siting could

be found on what is a large green area. Wherever sited, because of its industrial appearance, needs screening.

North Level Internal Drainage Board

No objections.

Environment Agency

No objection.

Lincolnshire County Council Highway & SUDs

ADDITIONAL INFORMATION REQUIRED

The proposed site plan needs to show the existing highway trees - we need to ascertain the location of the proposed unit in relation to the highway trees.

There is nothing in the supporting information to say that the public highway will be protected throughout construction or how they proposed to access the site.

Comments After Amendment

Comments:

Construction of micro energy storage facility - the site is within the public highway where existing highway trees are located. The plan submitted shows that the actual location is away from the highway trees. A construction management plan has been conditioned to ensure that the public highway is protected and that access to the site is agreed and managed safely. A Section 50 license under the Highways Act 1980 will be required. Any damage to the public highway shall be remedied at the expense of the applicant under Section 59 of the Highways Act 1980.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Highway Condition 00

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access location, construction and tree protection;
- the on-site parking of all vehicles of site operatives and visitors and how the public highway will be protected against damage;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to protect the public highway from damage.

Informatives

Highway Informative 02

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

Lincolnshire County Council Historic Places

The proposed site lies within the Crowland gravel peninsula, former dry outcrop of land surrounded by wetlands an area of very high Prehistoric, Roman, and Medieval archaeological potential, with the capacity to contribute to the East of England Regional Research Agenda at a local level. The proposal area is aligned with a prehistoric barrow cemetery (MLI20265. To the east of the proposal, investigations at Anchor Church Field (ELI7416) revealed significant multi-period archaeological remains at shallow depth, ranging from the Bronze Age to the post-medieval period. The proposed development comprises 'Construction of micro energy storage facility'.

Its groundworks and any temporary works associated with the development will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present.

Recommendation:

Currently there is insufficient specific information on the archaeological potential for the site and the extent of impact to buried archaeological remains from the proposed development. Therefore, I recommend the applicant to provide the results of a full standard archaeological evaluation of the site. This is in line with the guidance set out in the NPPF 2024 (paragraphs 207 & 218). The applicant has not adequately described the significance of any belowground heritage assets that may be affected by the proposed development, and it is not "sufficient to understand the potential impact of the proposal on their significance (the heritage assets)" (Paragraph 207 of the National Planning Policy Framework (NPPF)).

This in turn does not allow the Local planning authority to "identify and assess the particular significance of any heritage asset that may be affected by a proposal." (Paragraph 208 NPPF). Given the very high archaeological potential, but as yet unknown character and extent, I recommend this application to be accompanied by the results of a geophysics assessment and full standard archaeological trial trench evaluation in order to properly assess the site potential, inform the appropriate planning advice and design an appropriate mitigation strategy should consent be subsequently granted. The evaluation will aim to determine the presence, absence, significance, extent depth and character of any archaeological remains which will be impacted by the proposed development as noted above. It should also be noted that preferred mitigation strategies will include preservation in situ (avoidance of sensitive areas) where possible and open area excavation where not. It is important that this application to fully considered the implications of this in its project feasibility assessment and that the results have been

considered in designing the layout.

The ability and flexibility for this is only as good as the knowledge of extent, character and significance of the archaeological resource on the site. We cannot plan mitigation appropriately against unevidenced conclusions. It is also important to avoid any unnecessary planning conditions that would place an unreasonable planning burden on the scheme if significant archaeology were discovered during post-consent evaluation work. Paragraph 57 of the NPPF applies in this case.

This information should be provided with the application so that an informed planning recommendation can be made and to meet the requirements of the National Planning Policy Framework (NPPF) paragraphs 207 and 218. With respect to the archaeological evaluation, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1YL, 07386 656079, email ruben.lopez@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works.

Comments after Trial Trench Report was completed

Thank you for submitting the report, which is approved. Please arrange for its submission to Planning.

It is noted that the location of the trench is not within the excavation impact area, as discussed, agreed and formalised in the approved WSI.

On the basis of the above, the objectives of the evaluation have only been partially achieved.

I recommend to Planning that post-consent conditions (AR01, AR02 and AR03) require archaeological monitoring in order to avoid any potential impacts.

We are conscious of minimising delays in the planning process and are willing to streamline the process in support of the development, in line with the NPPF.

Comments After Amendment

Thank you for consulting us on this matter.

A pre-determination archaeological trench evaluation was undertaken in January 2026 in order to inform the application, in accordance with NPPF paragraph 207. The trench location was displaced from the agreed position in the specification; however, as the new proposal location falls within the evaluated area, the evaluation objectives have been achieved. No additional conditioned archaeological work is recommended.

Consequently, no further archaeological input is required for this application. It is therefore not necessary to consult us again unless there are material changes to the proposals. However, should you wish to seek further advice, please contact us and explain the nature of your request.

South Holland District Council Environmental Protection

No comments.

Public Representation

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 has been summarised below:

- This is an open green space, where the Abbey monument is situated, and should not be changed.

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):

- Principle of Development and Sustainability
- Layout, Design, and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking

- Flood Risk and Drainage
- Biodiversity

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 (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

Principle of Development and Sustainability

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 in this instance is just outside Crowland. In any case, the proposal comprises infrastructure, in the form of a micro energy storage facility. The location is therefore, when considered on balance, suitable and this type of development is not unreasonable in such locations.

As such, the proposal is considered to be acceptable when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact upon heritage assets, impact on the residential amenities of neighbouring occupiers, impact on highway safety and flood risk, which are discussed in turn as follows.

Layout, Design and Consideration of the Character and Appearance of the Area

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.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it 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.

These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed storage facility would be located on an open parcel of grass land just off Postland Road and James Road, whilst this plot is fairly open which could result in the storage facility being readily visible, it is not considered that it would detract from the visual amenity of the site or the wider area. Furthermore, it would be well screened with mesh fencing, whilst landscaping details will be sought to ensure further screening is provided. As such, it is considered that there should be no harm to the street scene or locality in this regard.

It is appreciated that comment have been raised regarding an informal walking route, that serves a nearby facility. However, this is not a designated route, nor does it comprise a public footpath. The site comprises solely grass land, which is otherwise not utilised. The proposal would not, in any case, entirely prevent pedestrian movement across this grassed area, around the siting of the micro energy storage facility.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

Impact on Residential Amenity/Land Users

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.

Policies 2 and 3 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.

The closest residential dwelling to the site is over 50m away, this is considered to be an adequate distance to ensure that no harm should be caused by way of an increase in noise. SHDC Environmental Protection have raised no objections to the scheme either which further reinforces this view.

Due to the nature of the proposal in line with the aforementioned separation distances there should also be no material overlooking or overshadowing following the completion of the energy storage facility. Finally, fencing will surround the structure whilst landscaping will be sought to ensure it does not appear overbearing either.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) 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, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, 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. 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.

The proposed micro energy storage facility would not impact any parking arrangements due to the existing site being a large grassed area, as such the proposal does not need to be assessed against Policy 36 (Appendix 6). The main consideration would be highway safety during the construction of the facility. LCC Highways have been consulted on the application with their comments initially seeking additional information regarding the location of the proposed unit in relation to the highway trees as well as how the public highway will be protected throughout the construction and how they propose to access the site.

This additional information was sought with LCC Highways being re-consulted to get new and updated comments. From this, their comments outline that *"The site is within the public highway where existing highway trees are located. The plan submitted shows that the actual location is away from the highway trees. A construction management plan has been conditioned to ensure that the public highway is protected and that access to the site is agreed and managed safely. A Section 50 license under the Highways Act 1980 will be required. Any damage to the public highway shall be remedied at the expense of the applicant under Section 59 of the Highways Act 1980."*

A condition has been requested to be attached to the decision notice should permission be given which requires a Construction Management Plan and Method Statement shall be approved by the LPA before works begin on site. This plan should mitigate the adverse impacts of vehicle activity and the means of drainage during construction. It is therefore considered that LCC Highways raise no objections in the current stage of the application and providing that the relevant conditions and informatives are included within the decision notice this will rectify their concerns and mitigate any relevant issues.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3 and 36 the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

Flood Risk

Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

This goes on to state, within Paragraph 172, that all plans "should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test

and then, if necessary, the exception test as set out below".

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

It is important to note that paragraph 176 of the National Planning Policy Framework (December 2024) details that "Applications for some minor development and changes of use (footnote 62) should also not be subject to the sequential test, nor the exception test set out below, but should still meet the requirements for site-specific flood risk assessments set out in footnote 63".

Footnote 62 details that "This includes... small non-residential extensions (with a footprint of less than 250m²)". As such, whilst minor developments must meet the requirements for site-specific flood risk assessments as set out within footnote 63, this proposal should not be subject to the sequential test, nor the exception test, as outlined in Paragraph 176 and to be read in conjunction with footnote 62.

Notwithstanding this, the site lies within Flood Zone 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in 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" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

In this instance, the proposed development comprises the construction and operation of a micro energy storage facility to serve the area. The development has been accompanied by a flood risk assessment, which identifies there is very low flood risk to the site with it being located within Flood Zone 1 and low hazard within the SFRA. The Environment Agency have also raised no objections to the scheme.

Overall, when considering the development on balance, it is considered that the proposal would not comprise 'Essential Infrastructure' and it is considered that the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan and the intentions of the National Planning Policy Framework (December 2024) in this regard.

Biodiversity Net Gain

Section 15 of the National Planning Policy Framework (NPPF) seeks to protect sites of biodiversity value, minimise and provide net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures. Policy 28 of the SELLP seeks to protect ecological networks of interconnected designated sites and wildlife-friendly greenspace and promote biodiversity net gain by protecting the biodiversity value of land, maximising opportunities to enhance and connect natural habitats, incorporate biodiversity conservation features to enhance green infrastructure and ecological corridors, and conserve or enhance habitat to adapt to climate change.

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.

For applications that are submitted prior to the introduction of this requirement, the development would be exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

In this instance, a Biodiversity Net Gain Exemption Statement was submitted with the application. It is considered that the application is subject to the de minimis exemption, due to the proposal not impacting a priority habitat and the development impacts less than 25 square metres of onsite habitat.

Other Matters - Archaeology & Heritage Assets

In assessing proposals of this nature, the Local Planning Authority must ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

The National Planning Policy Framework (NPPF) (December 2024) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2024) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework (December 2024). Development proposals will expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

Archaeology

Due to the sites location within Crowland, Lincolnshire County Council Historic Places were consulted on the application. Their comments initially outlined that the site lies within the *"Crowland gravel peninsula, former dry outcrop of land surrounded by wetlands an area of very high Prehistoric, Roman, and Medieval archaeological potential, with the capacity to contribute to the*

East of England Regional Research Agenda at a local level". Furthermore, the proposal area is aligned with a prehistoric barrow cemetery listed on the Lincolnshire Heritage Explorer as MLI20265. Investigations at Anchor Church Field, listed as ELI7416 revealed "significant multi-period archaeological remains at shallow depth, ranging from the Bronze Age to the post-medieval period".

As a result of this, and the type of development proposed, the groundworks are considered to have a significant impact on any surviving archaeological remains which could result in total or partial loss if they are present. The recommendations as a result of this were for the applicant to provide the result of a full standard archaeological evaluation of the site, it was also required for the applicant to provide this pre-determination as a result of the potential significant impact it could cause.

A Trial Trench Report was completed by the applicant with LCC Historic Places being consulted on this new report outlining that *"It is noted that the location of the trench is not within the excavation impact area, as discussed, agreed and formalised in the approved WSI"*. As a result of this, the objections of the evaluation were only partially achieved. Standard archaeological pre-commencement conditions were then suggested to be attached to the decision notice to monitor and avoid any potential impacts.

A further amendment was then provided as well as discussions between LCC and the case officer with the final conclusion being that not archaeological pre-commencement conditions were required. The final and most recent comments outline that *"The trench location was displaced from the agreed position in the specification; however, as the new proposal location falls within the evaluated area, the evaluation objectives have been achieved. No additional conditioned archaeological work is recommended. Consequently, no further archaeological input is required for this application"*.

It is considered that these issues have therefore been rectified and resolved during the course of the application rather than being conditioned and discharged at a later date. The proposal is therefore considered to accord with Policy 29 of the SELLP and Section 16 of the NPPF in this regard.

Heritage Assets

Representation submitted by the Parish Council makes reference to "the historic St Guthlac stone" and the prominent position "on a main route into the town". Furthermore, the single letter of representation received by neighbouring residents makes reference to "the Abbey monument" being situated in this location.

The application site comprises vacant grass land. The 'monument' referenced in the form of the St Guthlac stone, is located in excess of 3.0 miles to the north-east of the application site and as such, the proposal does not cause any harm to the asset, nor does it cause a detrimental impact upon its setting.

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 proposal represents appropriate development outside the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of 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

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 5, 29 and 30 of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). There are no 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 approved under Delegated Authority.