

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-1008-25 **Applicant:** Mr M Blackbird
Proposal: Erection of 3 Dwellings with a Double Garage to Plot 3
Location: Land At Blackbird Close Crowland Peterborough
Terminal Date: 5th January 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
28	The Natural Environment
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE	0	0	0	1

BOARD				
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	2
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the erection of three detached dwellings. Plots 1 and 2 are positioned to front Peterborough Road, while Plot 3 is located to the rear of the site, fronting Blackbird Close, with Plots 4A and 4B situated beyond. The wider land ownership is shown by the blue line boundary and includes areas to the east of the application site where Biodiversity Net Gain (BNG) planting is proposed, extending along the rear boundary of No. 4 Kennulphs Close.

The development includes the formation of an access drive and a 'through way' to serve Plot 3 and land further east. Plots 1 and 2 are set back from Peterborough Road and share a single access point. Shared parking is provided to the front of these dwellings, located on the northern side of the driveway and arranged as a consolidated parking area.

Soft landscaping is proposed throughout the site, including native hedgerows and tree planting, alongside areas of hard landscaping associated with access, parking and private amenity space.

The dwellings are proposed as follows:

Plots 1 and 2

These are identical detached dwellings, served by a shared access to the rear. Each incorporates a front lean-to feature accommodating part of the kitchen and entrance hall. French doors are provided to the rear elevation, opening onto the private gardens. Both dwellings provide three bedrooms.

Plot 3

Plot 3 is a gable-fronted dwelling with single-storey side elements accommodating a home office and an extension to the sitting room. The dwelling comprises three bedrooms, with windows serving bedrooms 2 and 3 located on the side elevations. The first-floor rear elevation is largely blank.

Site Description

The application site lies within the defined settlement limits of Crowland. It is bounded by Peterborough Road to the west and Blackbird Close to the south, with a private drive running along the northern boundary adjacent to Kennulphs Close. To the east of the site are two detached dwellings, beyond which lies James Road.

The site is located within Flood Zone 2, as identified by the Environment Agency's Flood Map for Planning, and is classified as being within an area of 'low hazard' according to the South East Lincolnshire Strategic Flood Risk Assessment (SFRA).

The site is currently vacant and is appropriately characterised as an infill plot within an otherwise

developed area

History

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

Parish Clerk

No objections were raised regarding the proposal.

North Level IDB

Please note that North Level District Internal Drainage Board has no objection to the submitted proposals regarding the above planning application

Highways & Suds Support

The application is for the Erection of 3 dwellings with garages - resubmission. This revised proposal includes a separate driveway away from BlackBird Close utilising the same access with the public highway for plot 3. Plots 1 & 2 require the installation of the new access from Peterborough Road - this access shall be constructed to Lincolnshire County Council Specification. The dimensions of the proposed access are adequate to enable 2 cars to pass in opposing directions. Visibility onto Peterborough Road has been demonstrated satisfactorily and is in accordance with Manual for Streets. The parking demonstrated is adequate for the size of dwellings. The proposal will not have an adverse impact on the public highway. 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.

Ecology

Summary: There has been sufficient evidence provided for us to support the determination of this application, and we are confident that mandatory 10% net gain can be achieved on site. We will require a biodiversity Gain plan pre-commencement.

Historic Places Team

The proposed development comprises erection of 3 dwellings with garages, access and additional car parking spaces. We do not possess evidence that previous limited construction activity entirely disturbed/truncated possible present heritage assets. Considering the proposed development's scale and design, 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. I recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a phased approach of archaeological investigation and mitigation work.

Environmental Protection

Land contamination conditions are requested as well as construction hours/CEMP.

Representations

This application has been advertised in accordance with the Development Management procedure

Order 2015 (as amended). One letter of objection has been received. Material points that are raised relate to concerns over the access, overdevelopment of the site, overbearing and proximity concerns

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.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Development Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

Planning Considerations

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
- Flooding Risk Considerations
- Foul and Surface Water Drainage
- Biodiversity.

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.

Crowland is described within the local plan as a 'Main Service Centre' and within such areas, Policy 1b of the South East Lincolnshire Local Plan (2019) states:

Within the settlement boundaries of the 'Main Service Centres' (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

The application site lies wholly within the defined settlement boundary of Crowland. As such, the principle of residential development on the site is firmly established and is considered acceptable in accordance with Policy 1 of the South East Lincolnshire Local Plan (2019), which supports development within settlement limits where it accords with other relevant policies of the Plan.

In addition, an extant planning permission exists across a substantial proportion of the application site for the erection of three dwellings. This fallback position is a material consideration and further reinforces the acceptability of residential development in this location. The current proposal broadly reflects the scale and nature of the approved development, although it does extend the red line application boundary further east. Notwithstanding this extension, the proposal remains within the settlement boundary and does not alter the established principle of development on the site.

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

Section 12 of the National Planning Policy Framework (December 2024) relates to Achieving well-designed places and confirms that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to the planning and development process. It is well established that good design is a core component of sustainable development and that poorly designed development can undermine the character and quality of an area.

Paragraph 135 of the National Planning Policy Framework (December 2024) states that new development should function well and add to the overall quality of the area over the lifetime of the development. It should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Importantly, the paragraph requires decision-makers to have regard to the impact of development on local character and history, including the surrounding built environment and landscape setting. This includes consideration of factors such as street patterns, building lines, plot widths, boundary treatments, scale, massing and the relationship between buildings and the public realm.

At the local level, Policy 2 of the South East Lincolnshire Local Plan (2019) sets out the overarching principles for sustainable development and provides a framework against which the design and layout of proposals should be assessed. Policy 3 further reinforces the requirements of Section 12 of the National Planning Policy Framework (December 2024), requiring development to demonstrate a high standard of design that responds positively to its context and sits comfortably within both designated and undesignated townscape and landscape settings. Collectively, these policies make clear that development which is inappropriate to its surroundings, or which fails to take opportunities to reinforce or enhance local character, will not be supported.

In this case, the proposed layout of the two frontage dwellings is driven primarily by the requirement to accommodate the internal driveway serving the rear plot. As a result, the frontage plots appear artificially constrained and uncharacteristically narrow in their relationship with one another. The dwellings are positioned in close proximity, creating a 'squeezed' form of development that contrasts unfavourably with the prevailing pattern of development along Peterborough Road, where properties typically benefit from more generous spacing and a clearer sense of individual plot identity.

This harm is compounded by the significant set-back of the dwellings from the highway, which disrupts the established building line and weakens the sense of enclosure and rhythm along the street. The introduction of a shared, pool-style parking area to the front of the site further erodes the residential character of the frontage, introducing a visually dominant and car-led feature that would be readily apparent within the street scene. Taken together, the layout, spacing and parking arrangement would result in an incongruous frontage that fails to integrate successfully with the surrounding built form.

The cumulative effect of these elements is a development that does not respond positively to the character of the area and instead introduces an alien and visually discordant form of development. The proposal therefore fails to reinforce local distinctiveness or enhance the quality of the street scene, contrary to the objectives of good design set out in Section 12 of the National Planning Policy Framework (December 2024).

For these reasons, the proposal is considered to conflict with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and the design principles contained within 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) requires development to create places that are safe, inclusive and accessible and to provide a high standard of amenity for both existing and future users. This includes ensuring that development does not give rise to unacceptable impacts such as loss of outlook, overbearing effects, or overshadowing that would diminish the quality of life of neighbouring occupiers.

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) similarly require development to respect the amenity of existing land users and to relate appropriately to its surroundings. Policy 30 of the South East Lincolnshire Local Plan (2019) is also relevant, as it seeks to ensure that development does not result in unacceptable impacts from pollution, including noise, that would adversely affect nearby residents.

The proposal would locate Plot 3 in close proximity to No. 4B Kennulphs Close, resulting in an overbearing relationship with the neighbouring dwelling. The siting and scale of the proposed building would significantly reduce the sense of openness currently enjoyed by the occupiers of No. 4B and would result in periods of overshadowing to parts of the neighbouring rear amenity space and side elevation, thereby impacting upon its residential amenity. This impact is further exacerbated by the location of the proposed BNG gain.

It is acknowledged that the location, species and long-term management of the proposed Biodiversity Net Gain planting could be secured by condition. However, even with such control in place, the unacceptable harm to residential amenity arising from the proximity, scale and siting of Plot 3 would remain. The resulting overbearing relationship and overshadowing would occur regardless of the detailed landscaping proposals and cannot therefore be adequately mitigated through planting or other soft landscaping measures.

As such, the proposal would result in unacceptable harm to the living conditions of neighbouring occupiers, contrary to paragraph 135 of the National Planning Policy Framework (December 2024) and Policies 2, 3 and 30 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, subject to sustainable development considerations being 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.

Furthermore, Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan (2019), sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Lincolnshire County Council, as Local Highway Authority, have been consulted as part of this application and have no objections to the proposed development, considering the access and visibility safe in highways terms.

The proposal would have an acceptable level of parking provision as well as acceptable access

points. 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 of the South East Lincolnshire Local Plan, and Section 9 of the National Planning Policy Framework (December 2024).

Flooding Considerations

Section 14 of the National Planning Policy Framework (December 2024) establishes that development in areas at risk of flooding should be avoided where possible. Where development is necessary in such locations, it should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 172 advises that planning decisions should apply a sequential, risk-based approach to the location of development, considering all sources of flood risk and the current and future impacts of climate change. This includes applying the sequential test, and, where necessary, the exception test, to ensure development is steered to areas of lowest flood risk. Paragraphs 173-175 reinforce that individual planning applications in areas at risk should also follow a sequential approach and should only proceed where a site-specific Flood Risk Assessment demonstrates that no built development, access, escape routes, land raising, or other vulnerable elements would be at risk from any source of flooding now or in the future.

A substantial part of the application site already benefits from an extant planning permission for the erection of three dwellings. In this context, the Local Planning Authority acknowledges that the site is sequentially preferable and that the principle of residential development in this location has previously been established. The fallback position demonstrates that the site is a sustainable location where the benefits of development outweigh the associated flood risk.

Drainage

The applicant proposes that surface water will be disposed of via soakaway and foul water directed to the mains sewer. However, no evidence has been provided to demonstrate that infiltration is feasible. Previous permissions on this site were conditioned to secure a surface water drainage strategy. In line with this precedent, a condition will be imposed to ensure that an appropriate drainage strategy is implemented for the proposed development.

On balance, taking into account the sequentially preferable location of the site, the fallback position and the ability to secure appropriate drainage through condition, the proposal is considered to accord with Policy 4 of the South East Lincolnshire Local Plan (2019) and the guidance set out in Section 14 of the National Planning Policy Framework (December 2024).

Biodiversity

Policy 28 of the South East Lincolnshire Local Plan (2019) seeks to protect and enhance biodiversity by safeguarding ecological networks, promoting wildlife-friendly green spaces, and securing biodiversity net gain (BNG). It encourages the incorporation of biodiversity features, the connection and enhancement of habitats, and measures to adapt to climate change.

Schedule 7A of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021, requires all new development (subject to certain exceptions) to achieve a minimum of 10% biodiversity net gain, measured using standardized biodiversity units. This statutory requirement is commonly referred to as the mandatory BNG obligation.

Under this framework, planning permission is deemed to be granted subject to the biodiversity gain condition. This condition requires that development must not commence unless:

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

The biodiversity gain condition is typically secured as a pre-commencement condition and is accompanied by the requirement to submit a Habitat Management and Monitoring Plan (HMMP). Together, these documents ensure that biodiversity objectives are achieved throughout the lifecycle of the development.

In this case, the applicant has proposed 20 medium trees within the site boundary, which the

ecologist confirms would be sufficient to achieve the statutory 10% net gain. However, the location of the planting gives rise to other planning considerations, in particular impacts on residential amenity. As such, the capture of the BNG will need to remain flexible to allow for alternative solutions where appropriate.

The Local Planning Authority acknowledges that the mandatory BNG can be delivered but intends to apply conditions requiring the submission and approval of a Biodiversity Gain Plan and HMMP. This approach ensures that the necessary BNG can be achieved while protecting neighbouring amenity and allows for the possibility of off-site BNG credits if on-site provision proves unsuitable.

On this basis, the proposal is considered to comply with Policy 28 of the South East Lincolnshire Local Plan (2019) and is acceptable in terms of biodiversity.

Archaeology

Policy 29 of the South East Lincolnshire Local Plan (2019) seeks to ensure that development preserves and, where appropriate, enhances sites of archaeological interest and their settings. The policy requires that proposals likely to affect such sites are supported by a suitable assessment and that any necessary mitigation measures are secured through planning conditions.

In this instance, Lincolnshire County Council's Historic Places Team has advised that conditions relating to archaeology should be applied to any planning permission. Given the absence of detailed information on potential archaeological assets within the site, this request is considered reasonable. Accordingly, an appropriate archaeological condition will be attached to any grant of permission to ensure that any significant heritage assets are identified, recorded, and, where necessary, preserved or mitigated in accordance with Policy 29.

Planning Balance

As detailed above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority determines applications in accordance with the adopted Development Plan, unless material considerations indicate otherwise. In this case, the South East Lincolnshire Local Plan (2019) and the National Planning Policy Framework (December 2024) provide the primary policy framework for assessment.

The application site is located wholly within the defined settlement boundary of Crowland, a Main Service Centre, where Policy 1 supports sustainable residential development. The principle of development is therefore established, further reinforced by the fallback position of an extant planning permission for three dwellings on the majority of the site. The site is sequentially preferable in flood risk terms, and adequate drainage and biodiversity net gain can be secured through appropriately worded conditions. Highway safety, parking, drainage, biodiversity and archaeology matters are all capable of being addressed through mitigation and conditions, and no technical objections have been raised by the relevant statutory consultees in these respects.

However, the proposal would cause unacceptable harm in terms of the character and appearance of the area and residential amenity. The layout and siting of the frontage plots would result in a visually incongruous and compressed street frontage, with the pooled parking arrangement further eroding the character of the street scene, contrary to Section 12 of the NPPF and Policies 2 and 3 of the Local Plan. In addition, Plot 3 would result in an overbearing relationship and periods of overshadowing to No. 4B Kennulphs Close, causing a material loss of residential amenity that cannot be mitigated through landscaping or conditions, contrary to paragraph 135 of the NPPF and Policies 2, 3 and 30 of the Local Plan.

In weighing the benefits of the proposal, including the provision of three dwellings within a sustainable settlement, delivery of biodiversity net gain, and the fallback position of an extant permission, against the identified harm, it is concluded that the adverse impacts on the character of the area and neighbouring amenity are significant and demonstrable. These harms outweigh the benefits of the scheme.

Accordingly, while the principle of development is acceptable and many technical matters can be addressed through conditions, the proposal is considered unacceptable on the grounds of design, layout, and impact on residential amenity. The development is therefore contrary to Policies 2, 3

and 30 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

Conclusion

In this instance the proposal is considered to be contrary with policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

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.