

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H05-0708-26	Applicant:	Mr R Stokes & Miss J Stokes
Proposal:	Construction of 4 new build dwellings		
Location:	Lambert House Lambert Bank Gedney Hill		
Terminal Date:	9th October 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
29	The Historic Environment
30	Pollution
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework August 2026

Section 4 - Achieving sustainable development
 Section 14 - Achieving well-designed places
 Section 15 - Promoting sustainable transport
 Section 17 - Pollution, public protection and security
 Section 18 - Managing flood risk and coastal change
 Section 20 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE	0	0	0	1

BOARD				
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	1	0	0	3
RESIDENTS	0	0	1	1

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks full planning permission for the erection of four new dwellings at Lambert Bank. The dwellings would be split into two pairs, either side of Lambert House. Glasshouses to the rear of the site would also be demolished.

Moving from south-west to north-east, Plot 1 would measure, at its maximum, 9.75m (width) by 13.5m (depth). It would have an eaves height of 5.1m, rising to 7.7m at its apex. This would provide a total footprint of approximately 107sqm, with a floor area of approximately 182sqm. It would be a gable roofed, "T" shaped dwelling, with a slightly projecting 2-storey front gable.

Plot 2 would measure approximately 11m (width) by 15m (depth), giving a total footprint of approximately 110.5sqm. The eaves and ridge height are consistent with Plot 1. The dwelling would also feature a projecting, two storey gable ended element. It would have an irregular "Z" shape.

Plot 3, located on the north-eastern side of Lambert House would measure approximately 10m (width) by 13.1m (depth). To the eaves, it would measure approximately 5.1m, rising to 7.2m at its apex. A footprint of approximately 116.3sqm and a floor area of approximately 192sqm is proposed. Several perpendicular gable roofs are proposed.

Plot 4 would measure approximately 13.5m (width) by 11.15m at its deepest. To the eaves, approximate heights of 4.9m (central element) and 5.1m (gable projections) are proposed, rising to 6.95m and 7.2m at the apex of the gable projections and central roof respectively. The dwelling would be "H" shaped. An approximate footprint of 124sqm is proposed.

A materials schedule has been provided. Consistent materials across the plots are proposed. This shows red mixed bricks (Hampton rural blend), grey tiles (Redland Stonewold tiles), cream UPVC windows, black UPVC rainwater goods, and limestone cills.

Site Description

The site is primarily within the settlement boundaries of Holbeach Drove, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located towards the east of the settlement, along a narrow road following Lambert Drain. Lambert Bank is characterised by residential dwellings, of various ages, styles and scales, and agricultural land. The lane is towards the edge of the small settlement, with the settlement's core being to the west. The site is within Flood Zone 1.

Lambert House is located centrally within this strip of residential development, with large areas of land either side. It measures approximately 9.7m in width, by 9m in depth, with a ridge height of 6.5m. It is a fairly typical mid 20th century dwelling, constructed of pale red-brown brick.

Whilst the dwellings themselves are in the settlement, the site area has included a vast area of land outside of the settlement boundaries. This includes glasshouses to be demolished.

Relevant History

H05-0719-23 - S73 - Retention of dwelling without complying with agricultural habitation clause (Condition 2 of EE175/71) - Approved 20-09-23

Consultation Responses

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

South Holland Internal Drainage Board

Outline that land drainage consent would be required, alongside permission for works within 9m of a Board asset.

Lincolnshire Bat Group

Object due to insufficient information.

"If the house has got moderate potential for use by bats, further assessment is required in the form of evening surveys in accordance with the 2023 guidelines. The habitat around the house is suitable for use by bats. We also note that the survey stated access to the roof void was limited, which makes the requirement for an evening survey more pertinent as a full assessment of the property was not undertaken. We would also like to note that no surveyor details or licence details were provided within the report."

Highway and Lead Local Flood Authority

Recommendation: Approve with conditions

"The proposal is for Construction of 4 new build dwellings, and it does not have an impact on the Public Highway. The proposed development will require the provision of new accesses for the 4no. dwellings and 1no. existing dwelling, and the details demonstrating these access arrangements have been provided and demonstrated suitable clear visibility splays in both directions in accordance with Manual for Streets, this being a 40mph carriageway, so that drivers intending to enter the highway at the accesses may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre. Additionally, sufficient parking provision turning facility has been shown within the site to enable vehicles to enter and leave in a forward gear.

In accordance with National Planning Policy Framework, safe and suitable access is to be provided for all users and therefore, there will be a requirement to provide a frontage footway for every plot and extending South westerly along Lambert Bank making connection with the existing footway at the junction of the B1166 Drove Road with a pedestrian crossing point with tactile paving to facilitate safe and suitable pedestrian access.

Vehicle movements associated with this proposal will be less than the existing business use of the farm/nursery and therefore, not detrimental to highway safety."

Proceed to recommend that following condition

"The development hereby permitted shall not be occupied before a 2.0-metre-wide footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway"

Historic Environment Officer

Outlines that the site is within an area of high archaeological potential, and therefore recommends the imposition of the standard suite of archaeological conditions.

Environmental Protection

Contaminated Land

I request a standard land contamination condition be applied at this location.

Noise

due to the current use of the site we would request an assessment of dust control measures, in accordance with the IQAM guidance on the assessment of dust from demolition and construction Jan 2024 v 2.2. working hours should not exceed 07:30-18:00 Monday-Friday, 08:-13:00 Saturday. these measures are to protect the amenity of nearby resident

Conservation Officer

I have no objection to this proposal on built heritage grounds.

Whilst the Non-Designated Heritage Asset, the Church of St Polycarp, Holbeach Drove (ML125591), is located in close proximity to the application site, the proposed development is considered to constitute infill development and is not expected to result in harm to its setting or significance.

The proposal would not result in the loss of any significant views to or from the asset, nor would it result in the enclosure or loss of undeveloped land that currently contributes positively to its setting. As such, the development is not considered to adversely affect the appreciation or understanding of the heritage asset.

SELCP Ecologist

Initial Comments, dated 18/08/26

Summary: Further ecological survey work is required pre-determination before we can support this application. We are confident that 10% net gain can be achieved offsite for this application with the creation or purchase of offsite units. We will require a biodiversity gain plan to be provided pre-commencement.

Documents reviewed:

- BNG Metric
- BNG Assessment
- Preliminary Ecological Appraisal and preliminary roost assessment
- eDNA test report

Comments

Ecological Considerations:

- We support all mitigation and enhancement recommendations provided in the PEA and request that they are required by condition.
- The PEA observed that the ditch to the south east of the site could offer potential habitat for Great Crested Newts and therefore further eDNA testing was recommended on that ditch.
- The eDNA tests for this site found that these ditches returned a negative eDNA result meaning that there is no presence of great crested newts in the ditch. We do however support all recommendations provided on page 8 of the eDNA report and request that they be set as a condition at discharge.
- Building 1 onsite was found to have moderate roosting potential. We shall therefore require 2 emergence / re-entry surveys to be completed during bat season (May-September) according to "Bat Surveys for Professional Ecologists: Best Practice Guidelines". The results from which should be completed pre-determination so that the potential impacts to local bat populations are weighed into the planning process as a material consideration.
- Due to the foraging potential on this site, we request that a bat-friendly lighting strategy is implemented (details of which can be found here: Artificial Lighting Guidance - Buildings, planning and development - Bat Conservation Trust) to minimise impacts on local foraging bats.
- We request that a total of 4 integrated universal nest bricks (e.g., S Brick, Swift Nesting Brick, Manthorpe, Swift Bricks: The 'Universal' Nest Brick - by Dick Newell | CIEEM) are incorporated into the external fabric of the buildings. These should be located at a height of 4+ m metres, on the north or east elevations to avoid overheating, and grouped colonially where possible, in accordance with best-practice guidance such as British Standard BS 42021:2022. The bricks must be installed during the construction phase and retained thereafter for the lifetime of the development.
- We also request that 2 integrated bat boxes (e.g., Integrated / Built-In Bat Boxes, Integrated Eco Bat Box | The Nestbox Company) are added to the development plans.
- In both cases, the authority requires the applicant to submit sufficiently detailed maps that indicate the proposed location of bird/bat boxes on-site. These are required to enhance biodiversity and to be in line with Local Plan Policy 7.2.14

BNG Comments and Notes to applicant

-Overall, the biodiversity assessment and metric calculations appear rigorous, and we can have confidence in their conclusions. In this case the metric indicates that 10% mandatory net gain cannot be achieved on-site, and therefore the proposals require 0.27 area-habitat units, 0.24 hedgerow units and 0.08 watercourse units off-site. These will need to be secured pre-commencement and can be achieved via 2 routes:

1. Bespoke habitat creation/enhancement could be undertaken by the applicants on land they own elsewhere or in agreement with another landowner. To discharge the biodiversity gain condition the applicants would have to secure the appropriate habitat creation/enhancement by either entering a section 106 agreement with the local authority or through undertaking a conservation covenant with a responsible body pre-commencement.

2. The applicants could purchase the appropriate number of units from an off-site habitat bank and evidence this to the authority pre-commencement. This can be achieved through the applicants contacting an off-site unit provider, aka a habitat bank, (which has biodiversity units registered on the national gain-site registry) to arrange a contract for the applicant to purchase the necessary units from the habitat bank. The habitat bank then notifies the national gain-site register to allocate the specifically referenced units to the applicant. The authority requires 3 pieces of information to confirm the off-site unit allocation prior to discharging the biodiversity gain condition.

- a certificate/receipt/bill of sale that includes the unit allocation reference number(s) from the registered gain site to confirm the off-site unit purchase from the habitat bank.

- a finalized statutory metric that contains the off-site habitat information and habitat parcel references from the gain site. The applicant can obtain this information from the habitat bank by providing them with a copy of the statutory metric for them to complete. The finalized metric should then be submitted to the authority and posted on the public portal for transparency.

- the unit allocation must appear on the national gain site register prior to discharging the gain condition such that the authority can independently confirm that the unit allocation is valid.

Specific BNG condition request

We shall require a biodiversity gain plan to be provided pre-commencement. We shall also require a finalized metric to be provided along with all the appropriate allocation details of the offsite units secured

Further comments following additional information on bat surveys, dated 25/08/26

I had missed that the building with moderate bat potential was to be retained and no works commenced on it. Because of this, we shall no longer require an emergence survey to be completed for this development at this time. However, if any works are to be undertaken on this property then we shall require the 2 emergence surveys to be completed following good practice guidelines as outline by the bat conservation trust. I would also like to note that the detail provided for the preliminary roost assessment was lacking and will in the future be considered insufficient for us to be able to suitably assess the sites potential for roosting bats.

We request that at least 4 integrated bird boxes and 2 integrated bat boxes/tiles are included within the development plans for this site and an adequately detailed site plan showing where they will be located be provided pre-commencement to be in line with planning policy 7.2.14.

Given the moderate suitability for bats to be roosting in the building proposed to be retained, we request that a condition be included requiring a bat friendly lighting strategy to be in place in order to limit any disturbance to any bats in the area post-construction.

We also request that a precautionary working methods statement for Bats be provided pre-commencement to detail how the impact on local bat activity from the proposed construction works will be limited (e.g. details of timing sensitive works - such as works commencing late autumn to early spring when bats will be less likely to be emerging/re-entering the building).

We also request that a precautionary Method Statement for Bats is submitted prior to the commencement of works. This should detail the measures that will be implemented to minimise impacts on local bat activity during the construction phase. This should include, but not be limited to:

- Details of any timing-sensitive works, such as commencing works during the late autumn to early spring period when bats are less likely to be emerging from or returning to roosts.

- Details of any construction lighting proposed, including how lighting impacts will be mitigated to minimise disturbance to roosting and commuting bats.

The Method Statement should demonstrate how impacts on bats will be avoided and reduced throughout the construction period."

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the

Council's Statement of Community Involvement. In this instance, two letters of representation have been received.

These can be summarised as:

- Encourages the installation of swift bricks
- Do not believe that the Highway Authority's request for a new footway is proportionate or necessary

Key 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.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is 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, 2026 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy Context - Spatial Strategy

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which 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 need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy 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 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 site is partially within the settlement limits of Holbeach Drove, with all dwellings being within the defined boundary, whilst the remaining site area, namely the agricultural buildings to be demolished and BNG area, are outside of the defined settlement limits. Policy 1 is clear that the settlement boundaries are fixed, and that any land outside of these boundaries should be classified as countryside. This is further supported by the use of the phrase "within the settlement boundaries" used within parts A, B, and C of Policy 1. Appeal decisions APP/A2525/W/25/3362446, APP/A2525/W/22/3303340, and APP/A2525/W/25/3364588, amongst others, reinforces this interpretation of Policy 1.

The dwellings are within the settlement of Holbeach Drove which is classed as an "other service centre" within Policy 1. As such development will be permitted that supports Holbeach Drove's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities. This policy goes on to detail that development within other service centres will normally be limited to committed sites and infill development.

As outlined above, the remaining land is outside of the defined settlement limits, and is within the Countryside. In this context, Policy 1 states:

"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"

Policy Context - Achieving Sustainable Development

Section 4 of the NPPF aims to achieve sustainable development by locating proposals within the most appropriate locations. To this end, Policy S3(2) states:
"Where a development proposal falls partly within and partly outside a settlement, policies S4 and S5 should be applied to the relevant parts which are inside or outside of the settlement boundary (as appropriate), before coming to an overall view on the proposal".

As such, the development of the dwellings would be assessed against Policy S4, as they are within the settlement, whilst the BNG area, and remaining land would be assessed against S5.

Policy S4 states:

"Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework"

Policy S5 states:

"Only certain forms of development should be approved outside settlements. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework".

Policy S5(1) proceeds to outline circumstances where a proposal for development outside of a settlement would be permissible. This includes: "development for (-) engineering operations and infrastructure (-) or which is solely for nature conservation, restoration and/or enhancement".

Assessment - Within Settlement

As outlined previously, the NPPF is clear that development within defined settlement is broadly acceptable in principle. In any event, the proposal would align with the requirements of Policy 1. The proposed dwellings would largely align with the conventional definition of "infill" development, and would therefore conform to the limitations of Policy 1 of the SELLP.

The development of the dwellings would therefore be in accordance with Policy 1 of the SELLP and Policy S4 of the NPPF.

Assessment - Outside of Settlement

The submitted drawing reference F010- DR-A10 Rev B is clear in defining the residential curtilages of the dwellings. These drawings are clear that residential curtilages align with the settlement boundaries of Holbeach Drove. Therefore, there would not be a change of use to residential land outside of the settlement limits.

The remainder of the proposal, which is entirely outside of the settlement boundaries, would relate to the demolition of existing agricultural buildings, the creation of a BNG area, and the installation of soakaways. These elements are clearly secondary to the primary focus of the application which is for the erection of the dwellinghouses.

The demolition of the structures could reasonably occur under the powers transferred under Schedule 2, Part 11, Class B of the General Permitted Development Order, 2015. In any event, this demolition is intended to facilitate the creation of habitats, which would broadly align with Policy S5 which enables the nature restoration outside of settlements.

Moreover, the drainage infrastructure is clearly subservient to the primary development. It forms infrastructure, which is permissible in the countryside under Policy S5.

In any event, all elements are broadly "necessary" for the purposes of Policy 1, in that they enable development within an otherwise overly constrained site.

Principle of Development - Summary

The proposal conforms to Policy S4 of the NPPF. Whilst there is surface level friction with Policy S5 of the NPPF, there is conformity with Policy 1 of the SELLP and a clear necessity for the development to be located in the chosen location.

Therefore, as per Policy S3(2) an overall judgement of the proposal should be made. On balance, the proposal is considered to conform to Section 4 of the NPPF and Policy 1 of the SELLP as a

whole.

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

Section 14 of the NPPF, "Achieving well-designed places", outlines that planning decisions and policies should "promote high quality, healthy, inclusive and sustainable places".

Paragraph 1 of DP3 outlines that "development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets".

In order to create well-designed places, Paragraph 2 outlines that proposals should reflect seven key principles, as appropriate to the nature of the development and its location. These are: liveability, climate, nature, movement, built form, public space, and identity.

Paragraph 3 of DP3 is explicit that proposals which conflict with paragraph 1, the relevant aspects of paragraph 2 of DP3, or relevant development plan policies and guidance, should be refused. Conversely, substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

South Holland does not have a local design guide, meaning that supplementary guidance on design matters is principally driven by national documents, including the National Design Guide (NDG). The NDG outlines broad principles for well designed places. The entire document is of note to this application; however, Paragraphs 41, 43, 44, 50, 51, 52, 53, 56, 57 and 75 of the NDG are highlighted here as being particularly relevant to the case at hand.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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 NPPF 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 buildings proposed are large. However, they are proportionate to their plots, displaying a comparable level of developed vs undeveloped space to the wider area. Similarly, the proposed and existing dwellings are a comparable width, giving a similar level of built up frontage. This reduces the appearance of overdevelopment in each plot. The plots are capable of accepting a development of the footprint proposed.

Equally, the footprint of each dwelling is not dissimilar from those of their neighbours. Drawing number F010-DR-A03 shows the footprint of the proposed dwellings against their existing counterparts. This shows the approximate footprints listed above for the proposed dwellinghouses, and the following for the existing:

- Redroofs - 138sqm
- Rivedell - 138sqm
- Lambert House - 89sqm
- Millgrove House - 172sqm
- Ash Tree Lodge - 140sqm

This indicates a degree of consistency in built form and proportions which would broadly align with the guidance of the NDG. There is a lesser consistency with the existing dwelling of Lambert House, which as the central point of the proposed four dwellings would have a greater degree of influence in the determination of setting than the other dwellings listed above; however, the difference is not so marked as to be significantly harmful or to result in the proposed dwelling being immediately looked at as out of character.

The proposed dwellings are slightly taller than those of Rivendell and Redroofs, and are approximately 1m taller than Lambert House. However, they are a comparable height to Ashtree Lodge and are all lower in height than Millgrove House. This therefore implies a degree of variation in the area, with regards to heights and massing, which would create a greater scope for acceptance of proposed development heights. It is considered that the heights of the dwellings are broadly within the ranges expected in this context, particularly given the largeness of Millgrove House.

Turning away from the proportions of the dwellings to their features and designs, Plot 1-3 are relatively similar, with a fairly typical gable to gable arrangement. The immediate area, and the wider Holbeach Drove settlement, is comprised of a variety of styles and ages of dwellings. This eclectic mix would provide a greater acceptance of designs more generally. In any event, the designs of these dwellings are fairly typical of new build housing, and so is broadly in keeping with the wider area. Moreover, the designs are so orthodox, in the context of the wider South Holland area and peri-rural dwellings more generally, that they would not appear immediately incongruous in most settings, particularly when there is not a clear vernacular as is the case here. The arrangement would therefore not appear as an outlier in the area.

Plot 4 offers a less orthodox design. It would also be far bulkier than the three other dwellings proposed. That being said, the actual mass and scale of the dwelling is not dissimilar to the two houses to the east. The inclusion of the twin projecting gable roofs is akin to Millgrove House, rooting the design in existing features in the area. Likewise, the front garage is akin to the garage next door, meaning it would not appear immediately incongruous.

The material palette selected is typical of the area. The use of one brick-type throughout the whole build creates consistency which helps to establish an orthodoxy.

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 SELLP and Section 14 of the NPPF.

Impacts Upon Resident Amenity

DP3 of the NPPF outlines that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a focus on promoting liveability.

Likewise, Policy P3(1) outlines that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site. This point is expanded upon in P3(2) which states all development proposals should "provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life".

The first floor side windows proposed connect onto bathrooms, and so can reasonably be obscured glazed. The rear facing windows proposed may offer some small degree of overlooking; however, this would be at an oblique angle, preventing an overly significant intrusion. Views from the ground floor would be obscured by boundary treatments.

Some level of shadow would be cast by the dwellings in Plots 1 and 4 on their neighbours to the west and east respectively. However, the tangible impacts of this are likely to be low, as the impacts would be confined to limit sections of the property. Where light is obscured to windows, this would primarily impact non-habitable rooms, and for limited periods only.

Impacts of construction, including those created by noise and generalised disturbance, can be mitigated through imposition of a construction management plan condition.

It has been requested that a contaminated land condition be imposed. There is no evidence before the Council to suggest that this is not necessary.

As detailed above, the scale and design of the proposal is considered to have 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 Section 14 and 17 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 15 of the NPPF is titled 'Promoting sustainable transport'. Within this, Policy TR6(4) advises that "development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion."

Policy TR3 of the NPPF outlines that development should be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure. The policy outlines a series of principles to achieve these aims, with the expectation that all proposals should, so far as is relevant, conform to them. Policy TR3(2) is explicit that "The Connectivity Tool should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development."

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. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, 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.

Adequate parking has been provided for each plot. Accordingly, the requirements of Policy 36 have been met.

The Highway Authority have raised no objection to the proposal, subject to the imposition of a condition requiring the installation of a footpath. Whilst this would serve a limited number of dwellings, it would represent an improvement over the existing conditions of the road. As a result, this can be seen as a proportionate condition, in line with the provisions of the NPPF.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 15 of the NPPF.

Biodiversity Net Gain

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.

The proposal would not be exempt from the requirements of net gain. The details provided are considered acceptable in principle. The finalised details shall be secured via the standard BNG condition, applied under Schedule 7A of the Town and Country Planning Act, 1990, and secured via the submission of a HMMP.

Protected Species

In consideration of wildlife matters, every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. This duty arises from Regulation 9 of the Conservation of Habitats and Species Regulations, amongst others. As such, the LPA must consider the potential impacts upon wildlife as part of this application. The Wildlife and Countryside Act 1981 designates bats as a protected species.

The submitted documents have indicated that the existing dwelling has a moderate potential for use by bats. This has resulted in an objection from the Lincolnshire Bat Group. That being said, there would be no works to existing dwelling. As a result, there would be no loss of their habitat as a result. This conclusion aligns with the comments of the Ecologist.

In order to mitigate any potential impacts, a condition required the submission of a method statement for bats is recommended to be imposed.

Drainage

Policy 4 of the SELLP, alongside Section 18 of the NPPF, concern, in part, drainage. This includes foul and surface water drainage. Both secure a no-harm approach to drainage.

It is proposed that surface water would be discharged via soakaways, located to the rear of the plots outside of the defined curtilage. Whilst this is acceptable in principle, finalised details have not been provided. This matter can be secured via condition to fully ensure that there would not be a risk of pollution or increase in flood risk as a result.

It is proposed that foul drainage would be discharged into package sewage treatment plant located within the site. Again, this is acceptable in principle; however finalised details and positioning have not been provided at this stage. This should be secured via an appropriately worded condition.

Heritage and Conservation

The site is within approximately 60m of the Church of St Polycarp, with a clear line of site between the two. This is listed in the HER, under reference MLI125591, and can be considered to be a non-designated heritage asset as a result.

Policy HE7 of the NPPF concerns decisions on non-designated heritage assets. It states: "Where a development proposal would harm the significance of a non-designated heritage asset, this should be weighed against the benefits of the proposal and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the non-designated heritage asset."

The proposal is considered to have no significant detrimental impact upon the Church. Whilst the two are in reasonably close proximity, Lambert Drain acts as a barrier to decrease the visual association between the two units. In any event, the designs are broadly in keeping with the area, and would therefore cause no harm.

Archaeology

Part C of Policy 29 concerns "archaeology and scheduled monuments". This Policy outlines five assessment points for an application which may impact upon archaeological remains, the first three of which are particularly relevant here:

- "1. Proposals that affect archaeological remains, whether known or potential, designated or non-designated, should take every reasonable step to protect and, where possible, enhance their significance.
2. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.
3. If initial assessment does not provide sufficient information, developers will be required to undertake field evaluation in advance of determination of the application. This may include a range of techniques for both intrusive and non-intrusive evaluation, as appropriate to the site."

Section 16 of the NPPF outlines that LPAs should have access to an appropriate historic environment record, to support their decision making. In this instance, the historic environment record comes from the Lincolnshire Historic Environmental Record (LHER). The LPA's interpretation of the information within the LHER is informed via consultation with the Historic Places Team of Lincolnshire County Council (HPT), who maintain the LHER.

The public information relating to the LHER is taken from the Lincolnshire Heritage Explorer (LHE). The LHE is not a comprehensive database, and the information contained within it is constantly evolving. The LHE webpage is explicit that "the information provided through the Lincolnshire Heritage Explorer is only part of that held by the LHER, and will not be sufficient on its own to inform the planning process".

Sites of archaeological interest can broadly be separated into two categories: designated assets and non-designated assets. Designated assets, such as scheduled monuments, are far rarer and only occur in places where the requirements of the Ancient Monuments and Archaeological Areas Act 1979 can be applied. These are sites which have a pre-established significance to archaeological understanding at a wider national level, and must be designated by the Secretary of State as such. Accordingly, such sites are rare and are often designated after the scope of the asset has been established. The site in this instance is not designated.

It has been stated by the relevant consultee from the HPT, that the site is in an area of archaeological potential. On this basis, the site can be considered a site of archaeological interest, and a potential non-designated heritage asset.

On this basis, they have recommended that, in the event the proposal is approved, the standard suite of archaeological conditions is imposed. The conditions would require the submission of a written scheme of archaeological investigation, followed by archaeological works to be done in accordance with the approved scheme. There is no evidence before the Planning Department which would indicate that this would be excessive.

Without the imposition of the requested condition, there is the potential for harm to a non-designated heritage asset, via the disturbance of a site of potential archaeological interest. On this basis, it is considered necessary to impose these conditions.

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 within and outside of the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

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 these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 29, 33 and 36 of the SELLP, as well as Sections 4, 14, 15, 17, 18, 20 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

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