

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H05-0911-25 **Applicant:** Fleet Parish Council
Proposal: Siting of Container for Storage of Sports Equipment etc.
Location: Fleet Hargate Playing Field Off Eastgate Gardens Fleet Hargate
Terminal Date: 21st November 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution
32	Community, Health and Well-being

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
 Section 4 - Decision-making
 Section 8 - Promoting healthy and safe communities
 Section 11 - Making effective use of land
 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	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

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

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the siting of a storage container for sports equipment. The container measures approximately 6m in length and 2.4m in width, featuring dark green metal facades. The container features a flat roof that measures 2.59m in height.

Site Description

The application site comprises land to the north-east of an existing pavilion building within Fleet Hargate Playing Field, to the east of Eastgate Gardens. The container is proposed to be located on an area of grass next to the existing pavilion building. There is a football pitch to the south-east of the site, a drainage ditch to the north-west, beyond which there are residential dwellings.

The site is located within the defined settlement boundary of Fleet Hargate, as identified by the South East Lincolnshire Local Plan 2011-2036, and the accompanying policies map. The site is located next to an area designated as Recreational Open Space within the Local Plan (Policy 32).

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H05-0252-78: (Full Application) Change of use of existing land used as allotments to playing field at PT OS No 894, Fleet Hargate - approved 24 May 1978

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

South Holland Internal Drainage Board:

Byelaw 3 (Surface Water): The applicant has stated within the application form that surface water created by the impermeable area of the new container will be disposed of via the existing watercourse. Due to the nature of the application, I believe that the applicant is likely to dispose of additional surface water via infiltration into the ground and that the application form has been incorrectly filled in. However, we require further information which confirms the method of surface water disposal. If our assumption is correct, and the applicant intends to dispose of surface water via infiltration, then we recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. The Board recommend that any discharge is in line with the National standards for sustainable drainage systems (SuDS) published in June 2025. Further to the National Standards for SuDS, the Board's policy is to restrict discharges to 2/l/s/ha or annual average flood flow rate (QBar or QMed), whichever is higher. Please note that any consent granted for the discharge of surface water is likely to be subject to a Surface Water Development

Contribution fee (SWDC) as outlined within our Development Control Charges and Fees.

Byelaw 3 (Treated Foul Water): The applicant's proposals will not require the disposal of foul water, therefore Byelaw 3 (Treated foul water) does not apply. Section 23, Land Drainage Act 1991 I note the presence of a watercourse which is not maintained by the Board (a riparian watercourse) adjacent to the eastern and western site boundaries. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and Byelaw 4). I note the presence of a Board arterial watercourse K04 Devils Hill (DRN201G0403) adjacent to the southern site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

Byelaw 10: In light of our comments made above, should the applicant confirm that surface water will be disposed of via the Board arterial watercourse located to the south of the site, then the applicant will also require consent under Byelaw 10. This is because any works proposed within 9 metres of arterial drainage and flood risk management infrastructure (including Board arterial watercourses and pumping stations) requires the Board's prior written consent under Byelaw 10. If consent under Byelaw 10 is required, I recommend that the applicant contacts this office to make an application for this consent at their earliest convenience. To avoid conflict between the planning process and the Board's regulatory regime, we recommend that the required consent is sought prior to the determination of this planning application

Lincolnshire County Council - Highways and SUDS: The proposal will not have an adverse impact on the public highway.

Sport England: Sport England raises no objection to the application which is considered to accord with exception 2 of our playing fields policy and the requirements of paragraph 104 of the NPPF in that the proposed development would support the use of the site as a playing field and would not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Environmental Protection: No comments regarding land contamination or environmental protection.

Cllr P S Barnes: In full support as container is needed for storage to enable proper use of changing rooms to occur in a safe manner. This may also attract more teams to use the field in changing area is more useable.

Fleet Parish Council: No response received.

Ecology Officer: No response received.

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. The following summarises the key matters raised within the response:

- There have been problems with kids on the roof of the pavilion building, with fireworks being let off. Balls are often kicked into nearby gardens causing a disturbance. Putting a container by the side of pavilion will cause more problems in terms of the appearance, noise, disturbance, privacy, loss of view, property value.
- The container should be placed at the other end of the field.
- The proposed container would encourage more people to park on Burgess Drive, potentially blocking driveways and causing more noise and disturbance.

Key Planning Considerations

Development Plan

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

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

- Principle of Development;
- Visual and Amenity Impact;
- Flood Risk; and
- Biodiversity Net Gain.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan 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 located within the defined settlement boundary of Fleet Hargate, which is identified as a Minor Service Centre. Policy 1 sets out that within Minor Service Centres, 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. Development will normally be limited to Allocated and Committed sites and infill.

The site is also located next to an area designated as Recreational Open Space by Policy 32 of the Local Plan. It is considered that the site is part of a playing field, and the proposal would result in the loss of a small area of the field. Notwithstanding this, the site is not part of a playing pitch and the proposal would not result in the loss of the pitch which is located to the south-east.

Paragraph 104 of the NPPF sets out that existing open space, including playing fields and formal play spaces, should not be built on unless:

- "a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."*

In this case, Sport England have set out that they have no objections to the proposals as they consider that the container meets the criteria of exception 2 of Sport England's Playing Fields Policy, which sets out the following:

"The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use."

Sport England consider that the proposed siting of the container next to an existing pavilion building

would not affect the quantity or quality of playing pitches within the wider playing field within which the site is located. Sport England consider that the proposed use of the container to store equipment for users of the playing field would support the use of the playing field. The local planning authority agrees with this assessment.

Whilst there is an existing pavilion building where equipment could be stored, space within the building is limited and according to the applicant, storing equipment within the building reduces the space that is available within the changing rooms. According to the applicant, the pavilion building is in need of refurbishment and as such, the ability to store sports equipment within a separate container would allow for potential refurbishment works to take place within the pavilion building.

Therefore, it is considered that the container is reasonably necessary, and it is considered that the proposed development accords with Policy 1 of the Local Plan and Paragraph 104 of the NPPF. Notwithstanding this, storage containers are not generally seen as acceptable forms of permanent development due to their visual impact, particularly as they can become unkempt over time. As such, it is considered reasonable to include a condition limiting the siting of the container to a temporary period.

Visual and Amenity Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area and should be visually attractive as a result of good architecture and appropriate landscaping. Paragraph 135 of the NPPF also 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.

Policy 2 of the Local Plan 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.

Policy 3 accords with the provisions of Section 12 of the NPPF, 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.

Policies 2 and 3 of Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed container measures approximately 6m in length and 2.4m in width, featuring dark green metal facades. The container features a flat roof that measures 2.59m in height. The container is proposed to be sited on an area of grass which is to the north-east of an existing pavilion building. Both the pavilion building and the container feature flat roof forms and the proposed dark green facades of the container would help to reduce its visual impact, compared to an unpainted container for instance.

Whilst the container is not considered to be a suitable form of permanent development due to its visual impact, the container is proposed to serve a purpose in this instance, to support the functioning of the playing pitch to the south-east and to allow storage space whilst the pavilion building is refurbished. The visual harm is considered to be limited, and the harm is considered to be outweighed by the need to provide storage space for the use of the playing field and to allow for the pavilion building to be improved.

The proposed container itself would not generate noise; however, it is noted that concerns have been raised within the public representations that the development could result in an increased level of disturbance to residential properties located to the north-west of the site. In this case, it is not considered that the proposed container would specifically encourage anti-social behaviour or noise. The council's environmental protection team have also not raised objections in terms of noise generation.

One of the representations received has suggested siting the container at the opposite side of the field, away from residential properties. However, part of the reason for siting the container in its proposed location is for ease of access to the playing pitch which is located to the south-east. Furthermore, the container is proposed to be located next to the pavilion building which provides

some screening of the container from the south. Siting the container next to an existing building is considered to be more appropriate than siting the container within a more open location within the wider playing field.

Concerns have also been raised within the public representations that the container would encourage more people to park on Burgess Drive, thereby causing a disturbance to residential amenity. However, it is not considered that the proposed container would in itself encourage people to park on surrounding roads. Furthermore, Lincolnshire County Council's highways team have not raised any concerns or objections in terms of parking or highway safety.

Some of the matters raised within the public representations are not material planning considerations such as the loss of views from dwellings and any reductions in property values. As such, the local planning authority is unable to consider these matters in the determination of the current application.

Therefore, the visual and amenity impact of the container is considered to be acceptable in this instance in accordance with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Flood Risk

Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.

Policy 4 of the Local Plan allows for certain types of development within Flood Zones 2 and 3 in instances where specific criteria are met.

The proposed development is identified as a 'less vulnerable' use, according to Annex 3 of the NPPF. Therefore, the development is not required to pass the exception test, but is required to pass the sequential test.

Paragraph 8.3.6 of the SFRA sets out that the search area for the sequential test should be the whole of the council area unless the functional requirements of the development justify a reduced search area. The submitted FRA does not contain a site search exercise to demonstrate if other sites have been considered and discounted. Notwithstanding this, the wider playing field is located within Flood Zone 3. As such, there is not considered to be a reasonable alternative location within a lower risk flood zone in this case. Therefore, it is considered that the sequential test is passed.

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. Within the SFRA, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is not within a hazard rating area and as such, no specific mitigation is recommended by the SFRA in this case.

It is noted that South Holland Internal Drainage Board have asked for ground investigation to be carried out if infiltration is the proposed means of surface water disposal. In this case, this is not considered to be necessary due to the small-scale nature of the proposal.

Therefore, it is considered that the proposed development accords with Policy 4 of the Local Plan and the intentions of the NPPF in terms of flood risk.

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.

When taking the above into account, the development in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements as it is considered that the proposal falls within the de minimis exemption.

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 development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. Therefore, the proposed development accords with the Local Plan and the NPPF. 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 accord with Policies 1, 2, 3, 4, 30 and 32 of the Local Plan, along with the identified sections contained within the NPPF. 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.