DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-0662-25**	**Applicant:**	**Mr G Franklin**
Proposal:	Erection of single dwelling and discharge of condition 06-outline approval H06-0416-24		
Location:	Former Car Park To The Chequers Public House Main Street Gedney Dyke		
Terminal Date:	6th October 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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2: Achieving Sustainable Development
Section 9: Promoting Sustainable Transport
Section 12: Achieving Well-designed Places
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
HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE	0	0	0	1

BOARD				
SHDC INTERNAL	0	0	1	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Outline consent was granted in July 2024 under application H06-0416-24 to construct a detached dwelling on the site, utilising the existing access serving The Chequers public house. All matters other than 'access' were reserved for subsequent approval. A separate application was granted in July 2024 (H06-0415-23) to convert the Chequers into a single dwelling along with the provision of a new vehicular access onto Main Street.

This current application seeks approval of the reserved matters for the construction of a single dwelling approved under outline consent H06-0416-24. The description of the development has been amended during the course of consideration to include approval of details required under condition 06 of H06-0416-24, The parish council and neighbours have been re-consulted on the amended description and plans. For the avoidance of doubt the description of the development is:

Erection of single dwelling and discharge of condition 06-oultine approval H06-0416-24

Site Description

The site is located on the western side of Main Street, within the settlement of Gedney Dyke. The site forms part of the car park associated with the Chequers Public House located to the immediate south of the site. High, established trees form the western boundary of the site with residential properties situated to north and to the east on the opposite side of the Main Street.

History

H06-0416-24: Outline planning permission for the erection of a single dwelling. Approved 9th July 2024.

H06-0824-24: Details of written scheme of archaeological investigation (Condition 09 of H06-0416-24_. Approved 12th November 2024.

H06-0415-24: Change of use of vacant public house (Use Class Sui Generis) to single dwelling (Use Class C3(a)). Approved 15th July 2024.

Consultation Responses

Initial Responses Received (consultation period between 17th July 2025 and 7th August 2025)

Gedney Parish Council

Has no objection to this application.

Local Highway and Lead Local Flood Authority

Requests additional information.

-The proposal cannot be constructed until H06-0415-24 has been completed or they are both

constructed together.
-The proposed hedge on the front boundary could impair visibility. Request that this is omitted from the design, or a condition will be applied to any planning approval that it is maintained at a height no higher than the height of the existing wall.

Historic Environment Officer

An archaeological evaluation was carried out in November 2024 in connection with planning application H06-0416-24, which revealed no significant archaeological features. Consequently, no further archaeological input is necessary for this application.

South Holland Internal Drainage Board

Standing Advice provided.

Environmental Protection Officer

No comment regarding land contamination.

Responses Received within Re-consultation (consultation period between 12th September 2025 and 26th September 2025)

Local Highway and Lead Local Flood Authority

No objection.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance one letter of objection has been received, the main issues referred to are:

-Impact on neighbours view and light.
-The development is set further forward than existing properties on the north side of Main Street.
-It appears from the plan there are 2 or 3 off road parking spaces and a 4 bedroomed property of this size will attract additional vehicles either from residents or visitors. This will be on road which will make access to the development and surrounding properties difficult and potentially dangerous.
-The proposed design is not in keeping with any other property in the village.
-Trees to the rear of the development have been removed.
-Road drainage and flooding is a major issue.
-Concern at damage to property during construction due to vibration.
-The pub is still used occasionally for private functions and the guests park in the existing car park, where will these park if the development goes ahead.
-In the outline application (H06-0416-24) condition 6 requires cross-sectional drawings of any raised floor/elevations in relation to existing structures. These have not been provided and while the submitted plan shows a raised floor it does not show the total height of the proposed development and how it relates to neighbouring buildings.
-The exit of the development is on a blind junction with limited visibility made worse by the proposed hedge planting.
-Concern at the impact on wildlife, impact on nesting birds and owls and ground based mammals.

Planning Considerations

The main issues and considerations in this case are:

-Principle of Development and Sustainability.
-Effect upon the Character and Appearance of the Area.
-Impact on Neighbouring Residents.
-Highway Safety and Parking.
-Biodiversity and Ecology.
-Biodiversity Net Gain.
-Other Matters.

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 Local 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.

Principle of Development and Sustainability

The National Planning Policy Framework (Framework) December 2024 sets out the Government's planning policies for England and how they should be applied. It advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; an economic objective, a social objective, and an environmental objective, which are interdependent and should be pursued in mutually supportive ways.

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.

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 site is located within the settlement boundary of Gedney Dyke and benefits from an extant outline consent for the construction of a single dwelling under application H04-0416-24. The principle of the proposal therefore accords with the requirements of Policy 1 of the South East Lincolnshire Local Plan (2019) subject to the consideration of all other material factors which are assessed in the sections below.

Effect Upon the Character and Appearance of the Area

The Framework advises, at paragraph 131, good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it requires development to comprise good design; identifying issues that should be considered when preparing scheme so that development sits comfortably with its surroundings and adds positively to its landscape surroundings.

The application seeks the construction of a two storey detached dwelling on the site, with the provision of three parking spaces to the site frontage and a low wall and hedge along the boundary with Main Street.

Existing dwellings along Main Street vary in terms of their size, scale and design. As submitted, the design proposed the construction of a two storey property of red brick construction under a grey tiled roof. The design of the dwelling along with the proposed palette of material are considered acceptable and appropriate in the context of the existing street scene.

However, the submitted drawings indicated that the finished floor level of the property would be 300mm above existing ground level. The agent was advised that condition 06 of outline permission H06-0416-24 requires full details of existing and proposed site levels and proposed floor levels of the building to the submitted and approved. It was further advised if the intention was to submit a separate application to discharge this condition, in the absence of these details a condition would be attached to the current application excluding approval of reference to this finished floor level.

In response, the agent agreed to amend the description of the application to include the discharge of condition 06 of H06-0416-24, along with the required sections showing existing and proposed levels.

However, the sections submitted showed with the ridge height of the dwelling proposed at 8.7metres and eaves at 5.3metres, the resulting dwelling would be significantly higher than neighbouring houses in the street, which along with its forward projection would appear visually assertive and intrusive in the street scene. To overcome this concern it was requested that the ridge height of the property was reduced.

Amended plans have been received. These show the dwelling with a ridge height of 7.7metres and eaves of 5.3metres, the resulting sections show the finished floor height of the property at a similar height to no.7 Main Street and The Chequers Inn. Whilst the dwelling will be set forward of no.7 it will be set back from The Chequers Inn and given the reduction in height the property will appear visually harmonious with the appearance of the existing street scene and in this regard will safeguard the character of the area.

In this regard would accord with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019, along with advice contained within Section 12 of the National Planning Policy Framework, December 2024.

Impact on Neighbouring Residents

The Framework advises, at paragraph 135, development should create places with a high standard of amenity for existing and future users.

Policy 2 and 3 of the South East Lincolnshire Local Plan, 2019, set out that residential amenity and the relationship to existing development and land uses is a main considerations when making a planning decision.

The neighbouring house, no.7 Main Street, has a blank gable facing the application site with a high close boarded fence running along the boundary. Although the proposed dwelling will be set forward of this house it will be sited sufficient distance from the front and rear elevations of the neighbour to ensure there is no detriment caused in terms of creating any overbearing or enclosing impact nor loss of light.

Although the concerns of the occupants of the dwelling on the opposite side of Main Street are acknowledged, the proposed dwelling will be positioned over 15metres from the front elevation of this property, ensuring no direct overlooking arises. In addition, whilst the concern at the loss of an open view across the car park are acknowledged, there is no right to a view under planning law and as such this is not a material consideration that can be taken into account.

The Chequers Inn adjacent to the site has consent for conversion to a single dwelling house. Although there is no requirement on either planning permission to require both developments to take place concurrently, it would be difficult to operate the public house in the absence of a car park and with the presence of a dwelling in close proximity to a drinking establishment.

It is not considered that the proposal would adversely affect existing levels of privacy and amenity and will afford the future occupants a sufficient level of residential amenity and this regard accords with the provision of the Framework and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Paragraph 116 of the Framework advises that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network, following mitigation, would be severe, considering all reasonable future

scenarios.

Policy 2 of the Local Plan states that proposals requiring planning permission will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 of the Local Plan 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.

Further, Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, 2019, sets out minimum vehicle parking standards required for development proposals.

The highway authority initially requested additional information advising the proposal cannot be constructed until the conversion of the Chequers Inn to a dwelling has been completed or they are both constructed concurrently. In addition, the highway authority advised the proposed hedge to the front boundary could impair visibility and requested this is omitted from the design or a condition is attached to any planning approval that the hedge is maintained at a height no higher than the height of the existing wall.

In response the highway authority were advised neither planning permission H06-0415-24 (relating to the conversion of the Chequers Inn to a dwelling) or H06-0416-24 (the construction of a dwelling on the former car park) were conditioned to require development on both sites to be carried out concurrently. As such, it is not possible to attach a condition to this effect on the current reserved matters application. Regarding the hedge to the site frontage, as 'access' was considered as part of outline consent H06-0416-24, any requirement to restrict the height of any vegetation planted to the site frontage should have formed part of the outline consent. It would not be possible to attach a condition requiring that there is no planting of any vegetation to the site frontage or any restriction in its height as this would have been considered under the outline consent and in any event the proposal seeks to utilise an existing access that was previously used to serve the public house and as such a less intensive use of the access is now proposed.

On the basis of this additional information the highway authority advised there was no objection to the proposal.

It is considered the proposal accords with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019, and Section 9 of the National Planning Policy Framework, December 2024, in that the proposal would result in no adverse harm being caused to the existing highway network from either a safety or capacity perspective.

Biodiversity and Ecology

The Framework advises, at paragraph 193, when determining planning applications, if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy 28 of the South East Lincolnshire Local Plan (2019) seeks to promote biodiversity net gain by maximising opportunities to enhance and connect natural habitats, incorporate biodiversity conservation features to enhance green infrastructure and ecological corridors, and conserve or enhance habitat to adapt to climate change.

Condition 07 of outline consent H06-0416-24 requires an application seeking approval of reserved matters to be accompanied by a scheme for landscaping and planting which should demonstrate that Biodiversity Net Gain will be achieved.

The submitted drawing should details of the trees and hedges to be planted, including species, numbers, girth, height and specification along with the provision of a bird and bat box on the gable of the dwelling.

The extent of planting proposed is considered sufficient and appropriate to achieve Biodiversity Net Gain and in this regard the proposal accords with Policy 28 of the South East Lincolnshire Local Plan (2019) along with advise contained within paragraph 193 of the National Planning Policy Framework, December 2024.

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is required under a statutory framework introduced under Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) and 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.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

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

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

Condition 12 of outline consent H06-0416-24 requires the submission and approval of a Biodiversity Net Gain Plan. No further condition is required as part of this reserved matters application.

Other Matters

The concerns raised by the representation received relating to drainage matters are acknowledged and in this regard condition 04 of H06-0416-24 requires the submission and approval of the means of foul and surface water disposal.

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.

As amended, the siting, size, scale and design of the dwelling with safeguard the character and appearance of the area along with the level of amenity currently afforded to neighbouring property. Appropriate and acceptable levels of landscaping are proposed and matters relating to drainage, highways and Biodiversity Net Gain were considered as part of the outline consent with conditions attached in this regard.

The proposal accords with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole. In this instance there are no material considerations that weigh against the proposal and as such the planning balance is in favour of the development.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with policies 1, 2, 3, and 28 of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework(December 2024). The 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.

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.

Recommendation

Based on the assessment detailed above it is recommended that the proposal should be approved under delegated powers.