

**DECISION DELEGATED TO HEAD OF PLANNING**

**Application No:** H06-0745-25      **Applicant:** Lincolnshire County Council

**Proposal:** Reconstruction of existing road and gravelled parking areas to permeable hard surface with a new surface water drainage system

**Location:** Hoddins Way Long Sutton Spalding

**Terminal Date:** 22nd 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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

**National Guidance****National Planning Policy Framework December 2024**

Section 2 - Achieving sustainable development  
Section 4 - Decision-making  
Section 9 - Promoting sustainable transport  
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 16 - Conserving and enhancing the historic environment

**Representations:**

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

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	1	0	0	0
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	2	0

## **CASE OFFICER ASSESSMENT**

### **Description of Proposal**

The application seeks full planning permission for the reconstruction of existing road and gravelled parking areas to permeable hard surface with a new surface water drainage system

### **Site Description**

The site comprises an area of land at Hoddins Way in Long Sutton which is used for car parking for various businesses located within surrounding Eco Business Pods. There are residential dwellings to the south and to the west of the site, on the opposite side of Gedney Road. To the north and east of the site, there are agricultural fields.

There is a grade II listed milestone approximately 50m to the north-west of the site, within a grass verge on Gedney Road.

The site is located within the settlement boundary of Long Sutton as identified within the South East Lincolnshire Local Plan (2019).

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

### **Relevant Planning History**

H06-0654-93: (Full Application) Proposed cleaning bay - approved 13 October 1993

H06-0663-95: (Full Application) Change of use to retail and wholesale of animal foods - withdrawn 05 January 1996

H06-1163-04: (Full Application) Redevelopment of site for earth sheltered commercial development - approved 30 December 2004

H06-0866-06: (Full Application) Erection of earth bunded dwelling - approved 29 September 2006

H06-0880-06: (Discharge of Conditions) Details of external materials, landscaping and contaminated land scheme (Conditions 2, 3, 4 and 7a of H06/0092/06) - approved 30 November 2006

H06-0092-06: (Full Application) Redevelopment of site for earth-sheltered commercial development (amended scheme) - approved 14 March 2006

H06-0332-07: (Full Application) Erect a sculpture - approved 15 May 2007

H06-0708-10: (Full Application) Revision to design of approved scheme to show mono-pitch standing seam roofs incorporating laminated photovoltaics in lieu of earth covered roofs to Eco Office 1, 2, 3, 4, Eco Cafe and Eco Classroom (retrospective) - approved 19 January 2011

H06-0385-11: (Full Application) Proposed earth sheltered dwelling including landscaping and parking (retrospective) - approved 13 July 2011

H06-0386-11: (Full Application) Proposed earth sheltered commercial development including landscaping and parking (retrospective) - approved 14 July 2011

H06-0215-12: (Discharge of Conditions) Details of landscaping and screening (Conditions 3 and 4 of H06-0386-11) - approved 25 April 2012

H06-0818-13: (Full Application) Installation of 27 ground mounted photovoltaic panels - approved 30 October 2013

H06-0450-15: (Section 73) Proposed earth sheltered commercial development including landscaping and parking (retrospective) approved under H06-0386-11. Modification of Condition 10 to allow Sunday trading for all units - 1,3,4,5,6,7 & 9 - approved 07 July 2015

H06-0487-15: (Full Application) Change of use of Unit 5 from B1 to A3 - approved 15 July 2015

## **Consultation Responses**

Responses have been received from the below referenced consultees. The responses are summarised below, however, the responses can be viewed in their entirety on South Holland District Council's website.

Environment Agency: No comments.

Environmental Protection: No comments.

Gedney Parish Council: Support the proposals.

Conservation Officer: No comments.

Lincolnshire County Council - Highways and SUDS: The Highways and Lead Local Flood Authority response is in relation to the impact the proposed development would be expected to have on the operation of the Public Highway. Hoddins Way is a private road, and the highway authority has no jurisdiction over the use of this road. With regard to this application, we have considered the safety and impact of these proposals which would not be unacceptable with the highway authority. Highways informative 02 is recommended.

Anglian Water: Having reviewed the submitted documents there are no foul proposals, please see comments below regarding surface water. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. The Drainage Layout drawing no. 12940-WMS-ZZ-XX-D-C-39201-S3 REV P1 shows surface water being discharged to a ditch. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

South Holland Internal Drainage Board:

Byelaw (Surface Water): The applicant proposes to discharge surface water to a watercourse at a rate of 1 l/s. This rate is in excess of greenfield rate, however I note that the proposed rate is the minimum possible to reduce the risk of blockages in the system. This proposal will require consent under Byelaw 3, and I recommend that the applicant look into the possibility of reducing the proposed discharge rate prior to applying for consent. 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. The reason for the Board's objection relates to our concern that there may not be a viable discharge route from the proposed outfall point into the Board's arterial system. There is only an assumed route, which has not yet been confirmed or proved, from the outfall point at the east of the site into

the Board's system. We are concerned that this proposed discharge route may increase flood risk in the surrounding area due to the lack of a feasible connection from the site to the Board's arterial system. Until a viable discharge route into the Board's system for surface water has been investigated and proven, the Board objects to this planning proposal.

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 site boundary. 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).

Byelaw 10: There are no Board maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply.

Cllr J L Reynolds: 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, no letters of representation have been received.\*\*\*

## **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;
- Impact on Heritage Assets;
- Highway Safety and Parking;
- Biodiversity Net Gain; and
- Flood Risk.

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 settlement boundary of Long Sutton and the proposals seek to re-construct an existing road and car park area. As such, the principle of development is acceptable provided the proposals are suitable in terms of other materials considerations.

### 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 (including beyond the short term) 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.

Policy 2 of the Local Plan 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.

Policy 3 of the Local Plan 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 the 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 proposal seeks to re-construct an existing road and car park area. The site layout will remain largely unchanged, and the proposed surfacing will continue to feature gravel. Similarly, the proposals are not expected to result in any adverse impact on the amenity of nearby dwellings due to the nature of the proposals and the similarities between the existing and proposed site layouts. As such, the visual and amenity impact of the proposals would be acceptable, in accordance with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

### Impact on Heritage Assets

Policy 29 of the Local Plan and Section 16 of the NPPF require proposals to be assessed appropriately and proportionately if they would affect the setting of a listed building. As set out previously, there is a grade II listed milestone approximately 50m to the north-west of the site, within a grass verge on Gedney Road. It is not considered that the proposed development would affect the setting of this listed structure in a detrimental manner.

### Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 2 of the Local Plan sets out 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 Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

The layout of the site access and the car park would remain largely unchanged. No additional floorspace is proposed and as such, the proposals should not affect the required number of parking spaces for the adjacent businesses. Lincolnshire County Council's Highways Team is the applicant in this case, however, the team have also responded to confirm that there are no objections to the proposals in terms of highway safety.

Therefore, the proposal would have an acceptable impact in terms of highway safety. As such, the proposal accords with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 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.

When taking the above into account, the development is considered to be exempt from the statutory BNG requirement as the proposed would fall under the de minimis exemption. No extensions are proposed, and the site would remain largely unchanged.

### 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.

The site is within Flood Zone 3 on the Environment Agency Maps. Policy 4 of the Local Plan allows for certain types of development within Flood Zone 3 in instances where specific criteria are met.

The proposed development is classed as a 'less vulnerable' use, according to Annex 3 of the NPPF. As such, it is not necessary for the proposal to pass the exceptions test. The proposal is also not required to pass the sequential test due to its small scale nature.

The application is accompanied by a Flood Risk Assessment (FRA). The FRA summarises that it is not proposed to increase the total impermeable area of the site, and the proposed levels would be similar to the existing levels, draining away from the built environment. As such, no specific flood risk mitigation is considered necessary due to the nature of the proposals.

South Holland Internal Drainage Board have raised an objection to the proposed development as the Board is concerned that there may not be a viable discharge route from the proposed outfall point into the Board's arterial system. The Board consider that there is only an assumed route, which has not yet been confirmed or proven, from the outfall point at the east of the site into the Board's system. The Board have set out a concern that the proposed discharge route may increase

flood risk in the surrounding area due to the lack of a feasible connection from the site to the Board's arterial system. Therefore, the Board have requested proof that a viable discharge route is in place into the Board's system for surface water. The applicant has subsequently provided a plan showing the proposed discharge route with accompanying photographs. Therefore, it is considered that there is a suitable discharge route. Furthermore, the proposal only seeks to re-surface an existing road and car park area and there will be no increase in the impermeable area within the site. Whilst the Board's concerns are noted, it is not considered that the development poses a significant flood risk issue over and above the existing site. Therefore, the development accords with Policy 4 of the Local Plan and Section 14 of the NPPF.

## **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 proposed development is appropriate and would not materially harm the character or appearance of the locality, or the amenity of nearby residents. The development is acceptable in terms of highway safety and overall the proposed development accords with the Local Plan and the NPPF.

## **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 proposed development accords with Policies 1, 2, 3, 4, 29, 30, 33 and 36 of the Local Plan, as well as Sections 9, 11, 12, 14 and 16 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.