

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H07-0267-25 **Applicant:** Mrs Waite
Proposal: Residential Development - 2 Dwellings
Location: Adj 26 Station Road Gedney Hill Spalding
Terminal Date: 6th June 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
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

Representations:

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

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

CASE OFFICER ASSESSMENT

Proposal

This is an application for outline planning permission for the erection of two dwellings. The proposal also seeks the confirmation of whether access is also acceptable. All other matters are reserved.

The applicant has provided a proposed site plan showing two plots, one to the north and one to the south of number 26 Station Road. Both plots are served by a private access. Planting is shown to the front and rear.

Site Description

The application site relates to number 26 Station Road, Gedney Hill and the land surrounding it. Number 26 is a detached red brick property with hipped roof. The dwelling is set in extensive grounds with a purpose build brick garage, that functioned as Gedney Hill garage services. Open fields are located to the rear and the property is served by a wide access from Station Road.

The application site is located within the settlement boundary for Gedney Hill (inset map 17). The data for EA flood maps shows that the application site is located within flood zone 3, however the South East Lincolnshire SFRA shows that the site is located within an area having a low risk of flooding.

History

H07-0624-17 - Residential development. Approved. 14-08-17
H07-0267-25 - Residential Development - 2 Dwellings. 06-06-25

Consultation Responses

Parish Clerk

The Parish Council have no objection to the proposal but comment as follows: The proposed layout will result in three cramped properties on what is currently a spacious site. The Parish Council would prefer to see a more attractive street scene in keeping with neighbouring properties

South Holland IDB

Surface Water

The applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of this proposal has been evidenced. 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

Foul Treated Water

The applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of this proposal has been evidenced. 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.

Highways & SuDs Support

Approve with Conditions - The application is for a Residential Development of 2 Dwellings - outline with access to be considered. Each of the proposed dwellings will have 4 Bedrooms. The existing kerb line is dropped for the whole frontage, as indicated on plan this needs stopping up where the hedge will remain. The accesses will be upgraded to Lincolnshire County Council Specification. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Historic Places Team

Thank you for consulting us on this application. Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request

Environmental Protection

No comments on update. No comment received.

Representations

This application has been advertised in accordance with the Development Management Procedure Order 2015 (as amended). It has been subject to representation which have raised questions regarding the red line boundary and ownership.

The applicant has now amended plans and has provided land registry details to support the red line boundary. The most recent comments from the representee are:

The boundary line appears correct on site & location plan amendment 3, not as easy to tell on the proposed site plan amendment 3 but if same then no further comment at this stage

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

Planning Considerations

This application is seeking outline planning permission for the erection of 2 number dwellings, with means of access to be considered. The following issues are relevant to this assessment:

Planning Principle
Flood Risk and Drainage
Highway Safety & Access
Environmental Issues
Ecology & BNG
Planning Balance

Principle of Development

The application site is located within the settlement limits for Gedney Hill. Gedney Hill is described as a Minor Service Centre under SELLP Policy 1, in these areas support is given for:

Within the settlement boundaries of the Minor Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to Allocated and Committed sites and infill.

The proposal represents infill development within the parameters of the settlement boundary. It is therefore considered that given its location within the settlement boundary that in planning principle terms the proposal is considered acceptable. On this basis the proposal would accord with policy 1 of the South East Lincolnshire Local Plan, 2019.

Flood Risk & Drainage

SELLP Policy 4 sets out the districts approach to flood risk, it states that Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted, where:

It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed). The sequential test will be based on a Borough or District wide search area of alternative sites within the defined settlement boundaries, unless local circumstances relating to the catchment area for the development justify a reduced search area, i.e. there is a specific need for the development in that location. The sequential test is not required for sites allocated in the Local Plan, minor development or change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site).

Notwithstanding the fact that the proposal is located within flood zone 3 (EA Maps) the modelling data from the South East Lincolnshire SFRA shows that the application site is in an area of low risk. The applicant has provided details that given this recognition (within the SFRA) that there are no alternative sites that would be better suited in flooding terms (within the district). Given that the application site is located within the defined settlement limits of a main service centre (which is high on the locational hierarchy) then this approach is considered acceptable, and the test is passed. The exception test is two folded, it is set out by NPPF paragraph 178, which states:

The application of the exception test should be informed by a strategic or site-specific flood risk

assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*

It is considered that the contribution to housing, by providing an additional two infill dwelling within a main service centre would provide wider sustainability benefits that would outweigh the flood risk.

Drainage

The applicant proposes infiltration however no supporting data has been received to show that such a solution would work.

On this basis then a condition requiring further information on both foul and surface water drainage would be applied to any permission. The IDB have made comment and have not objected.

Therefore, subject to the aforementioned mitigation the proposal is considered to pass the second part of the exceptions test as well as the broader requirement of SELLP 4

Highway Safety & Access

SELLP 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.

SELLP 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.

SELLP Policy 36 is concerned with Vehicle and Cycle Parking it states that "All new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6).

NPPF Paragraph 115 states that *In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

The proposal seeks to formulate 3 number access points, one of which serves the garage business. There are already two existing. LCC Highways have reviewed the application and have no objections subject to planning conditions. The condition relate to the stopping up of existing accesses, with details of how this occurs to be submitted to and agreed in writing with the LPA.

The plans, which are in part indicative also show that ample of street provision is provided for parking, this however will be secured at the reserved matters stage. On this basis then the proposal would accord with SELLP Policies 2, 3 & 3 as well as paragraph 115 of the NPPF.

Environmental Issues

Policy 2 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance, contamination and air quality as important topics when considering proposals for planning.

Whilst an assessment upon amenity is reserved for the detail design stage. Consideration needs to be given in relation to land contamination. Given the presence historically of the garage on site then it is likely the need for land contamination related conditions are required to mitigate any harm to the proposed sensitive end use (residential development).

Therefore, subject to such conditions, and further assessment at the detailed design stage the proposal is considered to accord with SELLP Policies 2 and 30 of South East Lincolnshire Local Plan (2019).

Ecology & BNG

SELLP Policy 28 is concerned with the Natural Environment points 2 and 3 are relevant to this assessment, point 2 is concerned with Nationally or locally designated sites and protected or priority habitats and species and point 3 with addressing gaps in the ecological network.

The application is supported by a BNG metric assessment which shows that circa 66% gain for both habitat units and hedge units will be achieved on site. This is further supported by a post development plan. This application is only for outline and a landscaping reserved matters will also need to be agreed. The plan therefore whilst demonstrating that the post BNG can be achieved on site will therefore not be conditioned and this would jeopardise the ability to assess properly the full landscaping scheme. Therefore, at this stage the LPA is content that the gain can be achieved on site, but will attach both a BN Plan condition as well as HMMP to any permission.

On this basis the proposal would accord with SELLP Policy 28.

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 is succinct with the overarching strategy for the development plan, proposing two dwellings within the defined settlement limits of Gedney Hill.

The proposal is subject to conditions relating to BNG gain, highways and drainage. These conditions are considered to fairly mitigate impact relating to these topics.

In this instance then, there are material considerations that weigh in favour of the proposal and as such, the planning balance is in support of the development.

Conclusion

Taking into consideration these factors, the proposal is considered to be acceptable. The proposal would comply with Policies 1, 2, 3, 4, 28, 29, 30 and 36, along with Appendix 6, of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). On this basis the proposal is recommended for approval.

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.