DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0205-25**	**Applicant:**	**Mr & Mrs M Clark**
Proposal:	Erection of 2 Dwellings		
Location:	Adj. Fair View Holbeach Drove Gate Holbeach Drove		
Terminal Date:	4th July 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
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
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	2	0	0
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	2

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application seeking permission for the erection of two dwellings, on land adjacent to Fair View, Holbeach Drove Gate.

The proposal is for two semi-detached properties of identical design and layout. The proposed dwellings would be constructed from TBS Granchester blend facing brick, sandcroft smooth grey plain tile, uPVC grey casement windows and composite black front door.

The overall height of the proposed dwellings would be 8087mm to the ridge, with an eaves height of 4923mm. The width of the dwellings would be roughly 7375mm and a total length of both being 10495mm (5247mm each).

Site Description

The site is located within the defined settlement boundary of Holbeach Drove as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP).

It is sited towards the north of Holbeach Drove, directly opposite a row of semi-detached bungalows, with the surrounding area comprising multiple other residential dwellings of various designs, scales and material finishes. Directly to the rear of the site, there is large open fields where the development boundary ends, with Lambert Drain beyond this, and St Polycarp's Church can be seen.

History

No relevant site history.

Consultation Responses

Whaplode Parish Council

No comment.

Holbeach Parish Council

Fully support.

South Holland Internal Drainage Board

Consent is may not be required under Byelaw 3, not currently required under Section 23 and is not

applicable under Byelaw 10.

Lincolnshire County Council Highways

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for the erection of 2 Dwellings. The existing access will be upgraded and widened to accommodate a shared access. There is sufficient parking and turning demonstrated for the size of the proposed dwellings. The proposal will not have an adverse impact on the public highway. 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.

Informatives

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb.

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - https://www.lincolnshire.gov.uk/traffic-management

Lincolnshire County Council Historic Places

Thank you for consulting us on this application.

It is noted that the applicant has not provided an assessment of the historic environment potential of the site, as outlined in the NPPF (paragraph 207).

This site is in an area of The Fens that was widely settled during the later prehistoric and Roman periods. The proposed development is located in an area of Roman archaeological potential. Extensive cropmarks indicate the presence of prehistoric or Roman activity both east and west of the site and it is likely that previously unrecorded archaeology of a similar nature could exist on this site.

The historic environment record (HER) confirms that the site is in close proximity to several heritage assets: MLI20236 - Romano-British cropmark complex: 'Romano-British cropmark complex, possible field system with drove roads, and settlement evidence. '. MLI22299 - Undated cropmarks.

MLI22213 - Romano-British settlement: 'Enclosures, fields and droves of possible Roman settlement group, apparently part of extensive complex (with concentration at TF338142 and TF346143), seen APs as cropmarks at Lambert Drain, Holbeach. '. MLI22262 - Romano-British cropmarks: 'Very regular field group on SW-NE orientation. Becomes less regular east of Lambert Drain and there are some smaller enclosures near the NE drove suggesting a possible settlement nucleus ' MLI22255 - Extensive Romano-British cropmark complex: 'Extensive cropmarks seen on aerial photographs by St Joseph, including roads and field boundaries. Extensive cropmark complex, with possible settlement, drove roads, field system and enclosures. These include areas of compact blocks of enclosures.'

The proposed development comprises: 'Erection of 2 Dwellings'. The proposed development groundworks and any temporary works associated with the development will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present.

As mentioned above, there is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction - NPPF (paragraph 218). We recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site.

This will comprise a phased programme of archaeological mitigation work including, but not limited to a continuous archaeological monitoring (watching brief) to enable any remaining archaeology which currently survives on this site to be properly recorded prior to its alteration or destruction.

This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with National Planning Policy Framework paragraphs 207 and 218 and the South East Lincolnshire Local Plan (Policy 29).

With respect to the attached archaeological conditions, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1YL, 07386 656079, email ruben.lopez@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works.

It is recommended the resulting mitigation strategy and Written Schemes of Investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

South Holland District Council Environmental Protection

No comments regarding amendment 1.

South East Lincolnshire Councils Partnership Ecologist

I've had a look at the metric and I'm happy with the changes that have been made to the metric following recommendations. However, the metric is still coming up with an error associated with the baseline and post-development habitat area. For this error to be fixed, the applicant will have to re-enter the metric details so that the baseline and post development total area is the same. We require these changes to be made pre-commencement for clarity and transparency that the metric is filled out correctly. Please see below my rough calculations for this (I appreciate that the applicant measured everything in person but the measurements don't add up unfortunately):
Baseline (see map):
- Vegetated garden: 147 sqm
- Developed land: 84.06 sqm
- Artificial unvegetated unsealed surface: 174 sqm
- Total area: 405.06 sqm

Post-development (see image below) :
- Developed land: 149.2 sqm
- Gravel: 121 sqm
- Vegetated garden: 147 sqm
- Total area: 394.65 sqm (10.41sqm difference between the baseline and post development - assuming it's the rest of the shed that's being demolished but I don't know what post-development habitat that is going to be)

The total baseline area will also need to be altered in the desktop assessment on row 8 so the site

areas are the same to remove the possibility of this being an error in the future.

However, as we have confidence that this site can easily achieve 10% net gain, we are happy for this application to be determined and the required alterations can be made pre-commencement.

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, no letters of representation have been received.

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):
- Principle of Development and Sustainability
- Layout, Design and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking
- Flooding Risk Considerations and Drainage
- Biodiversity

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

Principle of Development and Sustainability

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; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

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 most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development 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.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates 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. This policy goes on to detail that development within 'Minor Service Centres' will normally be limited to Allocated and Committed sites and infill.

The National Planning Policy Framework, (NPPF) (December 2024) outlines, within Paragraph 61, that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".

Para 73 of the National Planning Policy Framework (December 2024) also emphasises the importance that the contribution of small to medium sized sites can make in meeting the housing requirements. This states that "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly". This policy seeks to ensure that there is a sufficient supply of homes and advises that sites of all sizes make a contribution to the housing requirement of an area.

The application site in this instance is within Holbeach Drove, a 'Other Service Centre', and lies within the defined settlement boundaries as detailed by Policy 1. In context of this, the principle of residential development within this location is considered to be appropriate, comprising an appropriate form of development for the location and would be in accordance with the overall principles of the spatial strategy.

Whilst it is noted that the site lies within the defined settlement boundaries, Policy 1 identifies that within Other 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 Committed sites and infill. Although this does not specifically identify that all development proposal's within 'Other Service Centres' must be infill or committed sites, this is consideration of the policy. In this context, development that is not considered infill development or on committed site, should typically be limited to those that have a justifiable reason to be located in such sites.

In any case, the development in this instance is sited on a vacant plot of land between 'Fair View' and 'Papillon', thus filling in a site between existing residential properties. It is therefore considered that the development in this instance is suitable and the principle of the development is sound.

As such, the proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan (2019) when viewed in broad principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, impact on highway safety and flood risk, which are discussed in turn as follows.

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

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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, among other considerations.

Likewise, 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 schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

As previously stated, the semi-detached design ensures they are constructed from the same materials and appear identical upon completion. The materials of construction include TBS Grantchester blend facing brick, sandcroft smooth grey plain tiles, uPVC grey casement windows and composite black front door. Whilst there is no one set design for dwellings along Holbeach Drove Gate, most are made from red brickwork with a tiled roof. Notwithstanding this, there are also properties made from lighter coloured bricks, particularly a row of three sets of semi-detached bungalows, as well as white rendering in some instances. It is therefore considered that the use of TBS Grantchester bricks would not be out of keeping or unsuitable for the area, and would allow the dwelling to appear in keeping with the majority of extant dwellings in the immediate area.

The dwelling, at its highest point, would be 8087mm and 4923mm to the eaves. When taking both properties into consideration, the total width would be 7375mm (3688mm) and the total length would be roughly 10495mm (5247mm each). It is important to note that there is a high amount of bungalows along this stretch of Holbeach Drove Gate which is notably higher than the amount of regular houses.

In total, from 'Nicroft' to the start of St Polycarp's Drive there is one chalet, one two-storey dwelling and four bungalows; on the opposite side of the road from 'Jubilee Lodge' to Main Road there is one chalet, one two-storey dwelling and ten bungalows (six of which are made up of three sets of semis).

The overall design of the area is dominated by bungalows as a common theme. Despite this, there are two storey dwellings nearby, in particular the plot adjacent to the site features a two storey dwelling which is of a similar height to those hereby proposed. Alongside this, there are multiple two storey dwellings along Main Road itself, although these are somewhat further away from the site.

The use of semi-detached dwellings, as stated, is also not uncommon. The bungalows across the road comprise this feature, albeit, at a single storey scale. Whilst one single dwelling could potentially be better suited to the plot, incorporating two dwellings does not result in an overly cramped form or unacceptable resultant built form that would warrant refusal of permission, with both featuring ample room and as such not overdeveloped. It is therefore considered that the design of the dwelling through its size, siting and location is acceptable and not harmful.

Due to the semi-detached nature of the properties, they will feature identical floor plans and layouts. The hallway would include the stair case to the first floor whilst also providing access to a toilet as well as an open plan living, dining and kitchen. The French Doors within these room open out onto a patio area within the garden. Furthermore, the upstairs includes three bedrooms as well as a shared bathroom. To the front of the property there would be parking areas for both dwellings as well as a communal turning area to create one sole access and exit point. The layout of the proposal is considered to be acceptable in this instance and does not necessarily cause any material harm.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South

East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

Impact on Residential Amenity/ Land Users

Paragraph 135 of the National Planning Policy Framework (December 2024) 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.

Policies 2 and 3 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.

Due to the positioning of the plot, there would be no unacceptable material overshadowing to either direct neighbour. Any shadow that is cast would be to the east and west, naturally due to the suns direction. To the east there is open fields which are undeveloped and to the west there is the existing highway, plus residential dwellings which would be an adequate distance away to remain unaffected. Therefore, there should be no material overshadowing following the construction of these dwellings.

In addition to this, there are no windows on either side elevation which could potentially look into any neighbouring plot. The windows on the rear elevation should also not harmfully overlook; they would not be any different to other dwellings featuring windows on the rear elevation within the vicinity. Finally, the front windows would also not materially result in a loss of privacy due to the adequate distance they would be from the bungalows opposite the road.

Due to the dwellings being semi-detached, there is the potential for the windows, particularly on the rear elevation, to overlook into each other gardens. The window closest to the boundary would be a shared bathroom and as such this should be obscure glazed, the window adjacent to this is a bedroom window, whilst there is the potential for some overlooking it would not be materially harmful in a way that results in a significant loss of privacy.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Flood Risk and Drainage

Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

This goes on to state, within Paragraph 172, that all plans "should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 173 of the National Planning Policy Framework (December 2024) goes on to state that "A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding", by following the steps set out within Section 14 of the National Planning Policy Framework (December 2024).

Paragraph 174 goes on to state that, "Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the strategic flood risk assessment being

the tool to demonstrate this.

Paragraph 175 details that "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)".

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in Zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The site lies within Flood Zone 1 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

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. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in 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" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

As stated previously, the site is within Flood Zone 1 and within an area of no hazard as shown on the SFRA. As a result of this, no flood risk assessment has been submitted nor are there are any mitigation measures that are proposed. Given the sites location within Flood Zone 1, with the district lying within an area of high volume of flood zone 3, the site is sequentially preferable. Due to the low flood risk on site, there is not considered to be any material harm to the both residents who would live in the proposed dwelling as well as it should not increase flood risk elsewhere.

Overall, when considering the development on balance, it is considered that the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) advises 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, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

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 and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Both dwellings would have three bedrooms, therefore, there must be at least two off street vehicle parking spaces. From the proposed site plan it is clear that there would be two designated parking

spaces to the front of both dwellings; this would provide adequate room for off street parking.

Lincolnshire County Council Highways were consulted on this application and have raised no objections, their comments read as follows 'The existing access will be upgraded and widened to accommodate a shared access. There is sufficient parking and turning demonstrated for the size of the proposed dwellings. The proposal will not have an adverse impact on the public highway'. They have also suggested two informative be attached to the decision notice should the application be approved.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3 and 36 the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

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.

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.

When taking the above into account, the development in this instance must provide the statutory 10% Biodiversity Net Gain requirements. The councils Ecology team were consulted with the summary of the comments stating that 'Some amendments are required to be made to the biodiversity metric. Once these changes have been implemented, the authority can have confidence that mandatory 10% biodiversity net gain can be achieved on this site'. Under the 'Ecological Considerations' section several issues were identified that must be addressed, the metric calculations to produce an accurate, transparent and rigorous metric assessment. However, the LPA can have confidence that the proposals will achieve the mandatory 10% BNG if these changes are made. It must be noted that the area values are based on satellite imagery and it is advised that each habitat area be specifically measured based on site plans and landscaping plans etc. The issues identified from the comments are as follows:

- The first issue is that the redline boundary seems to cut through one of the sheds. If the whole shed is demolished/converted, the redline boundary should go around the whole building and this will need to be amended on the metric as there will be slightly more developed land in the baseline habitat.

- Baseline comments:

o As per the photos provided in the metric and updated baseline habitat map, there is a section of vegetated grassland at the front of the site. Thus, the metric needs changing to record this area as vegetated garden instead of unvegetated garden. My own measurements also suggest that there is roughly 150 sqm of baseline vegetated garden which is 30sqm more than what has been recorded in the metric currently.
o The introduced shrub habitat in the area-habitats tab should be removed from the metric because it has already been accounted for within the hedgerows tab.
o These changes result in a baseline habitat unit value of 0.3.

- Habitat creation:
o The baseline vegetated garden should not be recorded as retained because it is being destroyed (covered in gravel), and new vegetated garden habitat is being created elsewhere. I have estimated that the amount of vegetated garden created (and recorded under the habitat to be created section) is roughly 119 sqm.
o The gravel area on the site is not currently recorded in the metric but should be included. I estimate this area to be around 159sqm.
o I estimate that the baseline developed sealed surfaces should be recorded as approximately 179sqm.
o The created introduced shrubs should be removed from the metric again because they have already been accounted for in the hedgerow tab.
o the metric and maps suggest that 5 trees will be planted on site (3 small and 2 medium). However, all trees planted should be recorded as "small" trees in the number of new trees planted section (see page 56 of statutory metric handbook). This reduces the total habitat area of trees to 203sqm, creating 0.622 habitat units.
o I estimate that the metric will indicate a 183% net gain once in habitat units (0.08952 units created) once all the above alterations are implemented.

- Hedgerow units
o Baseline hedgerow are identified in the hedgerow tab (tab 6) within the metric. From my estimations, there is a baseline hedgerow length of 15m with a total habitat unit value of 0.015.
o The created hedgerow length is roughly 20m (judging from the habitat maps provided). This would provide 0.0669 hedgerow units.
o Therefore, there would be a 446.31% net gain in hedgerow units overall.

Conclusion: All these alterations will need to be filled out and amended in the small sites metric pre-determination. If all the correct amendments are completed on the metric, we will have confidence that 10% biodiversity net gain could be achieved on this site.

Further correspondence was carried out following on from this with the new comments from the Ecologist stating:

I've had a look at the metric and I'm happy with the changes that have been made to the metric following recommendations. However, the metric is still coming up with an error associated with the baseline and post-development habitat area. For this error to be fixed, the applicant will have to re-enter the metric details so that the baseline and post development total area is the same. We require these changes to be made pre-commencement for clarity and transparency that the metric is filled out correctly. Please see below my rough calculations for this (I appreciate that the applicant measured everything in person but the measurements don't add up unfortunately):
Baseline (see map):
- Vegetated garden: 147 sqm
- Developed land: 84.06 sqm
- Artificial unvegetated unsealed surface: 174 sqm
- Total area: 405.06 sqm

Post-development (see image below) :
- Developed land: 149.2 sqm
- Gravel: 121 sqm
- Vegetated garden: 147 sqm
- Total area: 394.65 sqm (10.41sqm difference between the baseline and post development - assuming it's the rest of the shed that's being demolished but I don't know what post-development habitat that is going to be)

The total baseline area will also need to be altered in the desktop assessment on row 8 so the site areas are the same to remove the possibility of this being an error in the future.

However, as we have confidence that this site can easily achieve 10% net gain, we are happy for this application to be determined and the required alterations can be made pre-commencement.

As such, the LPA will will attach a condition to the decision notice stating that relevant details from the BNG Metric shall be submitted to, and approved in writing to ensure that they can provide the relevant statutory 10% net gain, in addition to the statutory conditions for biodiversity net gain.

Heritage

Lincolnshire County Council Historic Places were consulted on this application. They have stated that whilst the applicant has not provided an assessment of the historic environment potential of the site, as outlined in the NPPF Paragraph 207), this can be secured via conditions should the application be approved. The site is in an area that was widely settled during the later prehistoric and Roman periods, the proposal development is located in an area of Roman archaeological potential. Extensive cropmarks indicate the presence of prehistoric or Roman activity both east and west of the site and it is likely that previously unrecorded archaeology of a similar nature could exist on this site. Their comments go on to say:

The historic environment record (HER) confirms that the site is in close proximity to several heritage assets: MLI20236 - Romano-British cropmark complex: 'Romano-British cropmark complex, possible field system with drove roads, and settlement evidence. '. MLI22299 - Undated cropmarks. MLI22213 - Romano-British settlement: 'Enclosures, fields and droves of possible Roman settlement group, apparently part of extensive complex (with concentration at TF338142 and TF346143), seen APs as cropmarks at Lambert Drain, Holbeach. '. MLI22262 - Romano-British cropmarks: 'Very regular field group on SW-NE orientation. Becomes less regular east of Lambert Drain and there are some smaller enclosures near the NE drove suggesting a possible settlement nucleus ' MLI22255 - Extensive Romano-British cropmark complex: 'Extensive cropmarks seen on aerial photographs by St Joseph, including roads and field boundaries. Extensive cropmark complex, with possible settlement, drove roads, field system and enclosures. These include areas of compact blocks of enclosures.'

The proposed development comprises: 'Erection of 2 Dwellings'. The proposed development groundworks and any temporary works associated with the development will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present.

As mentioned above, there is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction - NPPF (paragraph 218). We recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site.

This will comprise a phased programme of archaeological mitigation work including, but not limited to a continuous archaeological monitoring (watching brief) to enable any remaining archaeology which currently survives on this site to be properly recorded prior to its alteration or destruction..

The applicant is advised to submit and receive approval from LCC Historic Places prior to the formal submission of any documents to the Local Planning Authority and they must be notified ten days before the commencement of any archaeological works.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the 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.

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 be in accordance with Policies 1, 2, 3, 4, 28 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (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.

Recommendation

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