DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0555-25**	**Applicant:**	**Mr A Goodley**
Proposal:	Erection of Self - Build dwelling & garage		
Location:	Land Between 4 & 5 Star Lane Holbeach Bank Spalding		
Terminal Date:	3rd 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
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural Environment
30	Pollution
33	Delivering a More Sustainable Transport Network
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 and sufficient supply of homes
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 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	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

The proposal seeks outline planning permission for the erection of a self-build dwelling and a garage. All matters are reserved except for the proposed access which is proposed to be taken from Star Lane from the east of the site.

Site Description

The application site comprises land between 4 and 5 Star Lane. The dwellings on either side of the site comprise single storey bungalows set within similar sized plots as the rest of the dwellings on the western side of Star Lane.

The site is outside any defined settlement boundary, as identified by the South East Lincolnshire Local Plan 2011-2036 and the accompanying policies map.

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

Planning History

H09-0146-94: (Permission Renewal) Residential development with frontage plots. (Renewal of H09/0249/91) - approved 07 April 1994

H09-0396-99: (Permission Renewal) Residential development with frontage plots (renewal of H09/0703/96) - approved 16 June 1999

H09-0703-96: (Permission Renewal) Residential development with frontage plots (renewal of application H09/0146/94) - approved 07 October 1996

The following application overlap part of the southern area within the site:

H09-0940-00: (Reserved Matters) Residential development (10 properties) - approved 03 October 2000

H09-0249-91: (Outline Application) Residential development with frontage plots - approved 06 September 1991

Consultation Responses

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

Lincolnshire County Council - Highways and SUDS: The proposed access arrangements will be from Star Lane which has suitable visibility, so that drivers intending to enter the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre. There is adequate turning facility and parking within the site to allow vehicles to enter

and leave in a forward gear, in the interests of highway safety. There will be a requirement to provide a frontage footway extending North and South making connection with the existing footways. Sufficient information will be required to demonstrate that the use of a suitable drainage system for the management of surface water run-off is appropriate for this site to mitigate concerns with flooding of the property and surrounding land. Highway condition 20 is recommended and highway informatives 03, 07 and 08 are also recommended.

South Holland Internal Drainage Board: 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. I note that the applicant intends to dispose of foul water to a main sewer. Should the applicant's proposals change to include the discharge of treated foul water to a watercourse, consent would be required under Byelaw 3. I am not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary, however this should be confirmed by the applicant. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). There are no Board maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply.

Lincolnshire County Council - Historic Environment: The proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application.

National Grid: Please note there is a UG LV cable running across the entrance of the site. Please contact NGED regarding the location of LV cable laid within the land boundary.

Holbeach Parish Council: Full support the proposals.

Environmental Protection: No comments regarding land contamination.

Cllr C N Worth: 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 Impact;
-Impact on Amenity;
-Highway Safety and Parking;
-Flood Risk; and
-Biodiversity Net Gain.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is outside any defined settlement boundary. Holbeach Bank and Holbeach Clough do not contain settlement boundaries.

The nearest settlement boundaries to the site are located in Saracen's Head, approximately 1.2km to the west of the site, and Holbeach which is approximately 1.5km to the south of the site. The site is therefore within the countryside in planning policy terms. Part D of Policy 1 sets out that within the countryside, development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and for decision taking this means:

"c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance7 provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."

Footnote 8 clarifies that this "includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites".

According to South Holland District Council's (SHDC) 5-Year Housing Land Supply Assessment (5YHLS) (June 2025), SHDC can demonstrate 5.5 years of housing land supply. Furthermore, SHDC have scored at least 162% for the Housing Delivery Test over the last three years (Paragraph 1.4 of the 5YHLS Assessment). In accordance with Paragraph 232 of the NPPF, it is therefore not necessary to apply the tilted balance in favour of sustainable development in the determination of the current application.

It has not been demonstrated that residential development is necessary in this location, for example, in conjunction with agriculture or other rural based business. Notwithstanding this, the site lies within a fairly built-up locations, and is located between existing development and any

development of the site would be limited to infill, rather than encroaching into the countryside. There is a primary school located on the opposite side of Star Lane and some employment opportunities within the area. The site was left vacant as part of the original development of the site under permissions H09-0940-00 and H09-0249-91 as the site was left to allow access for agricultural vehicles to land to the west. There appears to be an alternative access to the south of the site, also from Star Lane. Therefore, the site is no longer required as an agricultural access.

Although the application is in outline form only and the visual impact of the proposals cannot be fully assessed as this stage, it is likely that a single storey dwelling would blend well into the existing street scene. This is due to the positioning of similar single storey dwellings set within similar sized plots to the west of Star Lane.

A new footpath is proposed as part of the proposals to connect the existing footpath along the street scene. This is afforded some weight in favour of the proposals as this would help the connectivity of the street scene.

Development of this nature, comprising residential development within a countryside location, would typically be resisted and the Local Planning Authority would not typically be supportive of such scheme. However, on balance, it is considered that the proposed development is acceptable in principle as the proposed dwelling is considered to comprise a suitable form of infill development, that is of a minor scale, comprising a single plot, within a notably built-up location; with a consistent linear form. However, it is also necessary to assess the proposed development against other relevant material considerations.

Visual 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.

Policy 2 of the Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

At this stage, the proposed scale, appearance and layout of the dwelling is unknown. As such, it is difficult to assess the visual impact of the proposals. Notwithstanding this, it is considered that a single storey dwelling would be appropriate within the site.

The submitted Flood Risk Assessment advises that the finished floor levels of the dwelling should be set 1m above the existing ground levels. This could impact on the visual appearance of the dwelling within the street scene. It is considered that a single storey dwelling would be appropriate in this case to respond to the existing street scene.

It is considered that the site has the capacity to accommodate a suitably sized dwelling whilst having an acceptable visual impact in order to accord with Policies 2 and 3 of the Local Plan, and Sections 12 and 16 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF 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 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 nearest dwellings are 4 Star Lane to the north and 5 Star Lane to the south. There are no dwellings to the rear of the site (the west). 4 and 5 Star Lane are both single storey bungalows set

back from the road frontage within similar sized plots. 5 Star Lane features a side elevation window, however, the dwellings face towards the east of the site, onto Star Lane. Close boarded fencing is already positioned along the site boundaries and this fencing provides a degree of screening between the site and neighbouring dwellings. Careful consideration of the placement of windows would be required at the detailed design stage to prevent an unacceptable degree of overlooking with neighbouring properties. It would be logical for any dwelling within the site to face towards Star Lane, similar to neighbouring properties. This would help reduce the potential for overlooking between properties by negating the need for side windows. It is considered that the site has the capacity to accommodate a dwelling that does not result in an unacceptable degree of overshadowing. It is considered that would be sufficient room for internal living space and external amenity space within the plot.

The site therefore has the capacity to accommodate a design that would have an acceptable impact on the residential amenity of neighbouring dwellings and future occupants. As such, the proposal is considered to accord with the provisions of the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

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 36 and Appendix 6 of the Local Plan, set out minimum vehicle parking standards. The standards require at least two spaces for dwellings of up to three bedrooms, and three spaces for dwellings with four or more bedrooms.

Consent is sought for the proposed access from Star Lane to the east of the site. Currently there is a gap in the footpath on Star Lane where the site is located. A new footway is proposed on Star Lane to connect the existing footpath.

Lincolnshire County Council's highways and sustainable drainage have reviewed the proposals and have confirmed they have no objections. The team consider that the proposed visibility splays would be acceptable. The team have recommended highway condition 20 which requires the footway to be installed in accordance with a scheme that has been submitted and agreed by the Local Planning Authority.

The proposed parking arrangements would be considered as part of any subsequent reserved matters application when consent is sought for the proposed layout within the site.

The proposal would be acceptable in terms of highway safety and would, therefore, accord with Local Plan Policies 2, 3 and 36, and Section 9 of the NPPF.

Flood Risk

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

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps. Policy 4 of the Local Plan allows for certain types of development within Flood Zones 2 and 3 in instances where specific criteria are met.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Within the SFRA, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is identified within a 'Danger

to Most' hazard rating area. According to the submitted Flood Risk Assessment, the site is at risk of flooding with depths between 0.5m and 1.0m. Therefore, based on the recommendations of the SFRA, the finished floor level should be set 1m above the existing ground level and flood resilient construction should be included to a height of 300mm above the predicted flood depth. This is recommended within the FRA.

The proposed development is classed as a 'more vulnerable' use, according to Annex 3 of the NPPF. The proposed development is therefore required to pass the sequential and exception tests. The application is accompanied by a Flood Risk Assessment (FRA), which contains sections relating to how the applicant considers that the proposed development passes the sequential and exception tests.

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 SFRA as a basis to apply the sequential test.

The NPPF requires the application of a sequential test to ensure that new development is in areas with the lowest probability of flooding. Paragraph 8.3.6 of the SFRA sets out that the search area for the sequential test should be the whole of the council area unless the functional requirements of the development justify a reduced search area. It is not considered that there are any site-specific reasons as to why the proposed dwelling needs to be located within Holbeach Bank as opposed to another settlement. The submitted FRA does not contain a site search exercise to demonstrate if other sites have been considered and discounted. Notwithstanding this, it is recognised that the vast majority of the council area is within Flood Zone 3 and there are limited opportunities for new housing within lower risk flood areas. Therefore, it is considered that the sequential test is passed.

In terms of the exceptions test, Paragraph 178 of the NPPF requires the following to be demonstrated:

"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."

As set out above, the flood risk mitigation measures set out within the FRA accord with the recommendations of the SFRA. The submitted application form indicates that surface water is proposed to be discharged via a sustainable drainage system. The feasibility of this has not been demonstrated at this stage, however, if this is feasible then this would help to provide sustainability benefits and recued the flood risk impact of the proposals. The development would provide one self-build dwelling which would help contribute to the area's housing supply. It is therefore considered that the proposed development passes the exception test.

Therefore, it is considered that the proposed development accords with Policy 4 of the Local Plan and the Section 14 of the NPPF in terms of flood risk management.

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.

As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

The application form indicates that the proposed dwelling is self-build and is therefore exempt from the requirement to provide BNG. The local authority agrees with this given that the proposal is for outline permission for one dwelling only and there is therefore scope for any future occupant to input into the design of the development. As such, the development is exempt from the requirement to provide BNG. A legal agreement has been prepared by the applicant to demonstrate compliance with this. Therefore, the development in this instance the application is exempt from the statutory 10% BNG requirements.

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.

Although the site is outside any defined settlement boundary, the proposed development represents a suitable form of infill development that would not result in a detrimental impact on the character or appearance of the countryside. The development would provide a small contribution to the area's housing land supply and potentially improve the street scene on Star Lane by connecting the existing footpath on the road.

The development hereby proposed does not materially harm the character or appearance of the locality, or the amenity of nearby residents. The proposed development therefore accords with the aims of the Local Plan and the NPPF. In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2, 3, 4, 17, 30, 33 and 36 (including Appendix 6) of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

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