

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0705-25 **Applicant:** A Sukerno
Proposal: Proposed Residential Development of 9 Dwellings
Location: Hooks Of Holbeach Land Adj. & Including 45 Fleet Street Holbeach
Terminal Date: 14th November 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
28	The Natural Environment
29	The Historic Environment
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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 5 - Delivering a 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
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	1	0	0	0
HIGHWAYS & SUDS	0	0	0	1

SUPPORT				
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	2	0
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Description of Proposal

This proposal seeks full planning permission for the erection of nine dwellings at land adjacent and surrounding 5 Fleet Street, Holbeach. It is proposed that four semi-detached dwellings (Plots 1-4) would front Edinburgh Walk, with a further four semi-detached dwellings (Plots 5-8) fronting Fleet Street. Plot 9, also accessed from Fleet Street), would be located in the north-east corner of the site. Plot 9 would be far larger in scale than its counterparts and of a significantly different design. A parking court for Plots 1-4, 6, 7, 8 would be located to the north of the site, to the rear of the residential dwellings.

Site Description

The site is within a short distance of the historic town centre where several services and facilities are available. A wide range of housing types, ages, designs and appearances has been observed in the area. It is a large corner plot onto the highway junction between Fleet Street (south) and Edinburgh Walk (west). The site benefits from two vehicular accesses. The widest crossover is Fleet Street whereas a narrower access is on Edinburgh Walk adjoining No. 2.

The site is currently disused and used to be associated with local building material supplier Hook of Holbeach Ltd. No. 45 is a large two-storey detached dwellinghouse under the applicant's ownership. Immediately to the east, No. 43 is another two-storey residential property. To the rear, a large flat-roof building hosting the main premises of Hook of Holbeach Ltd. Further outbuildings used for storage and workshop adjoin the northern boundary with No. 2 Edinburgh Walk and No. 1 Creewood Lane. To the east, is the care home Mayfield House. To the west opposite the road, is Holbeach Police Station.

Relevant Site History

H09-1393-00 - OUTLINE - Use of the site for the erection of one residential dwelling and garage - Approved 20/06/01.

H09-1160-20 - OUTLINE - Residential Development for 6 dwellings - Approved 23/02/21

H091074-23 - OUTLINE - Proposed Residential Development - 6 Dwellings - Approved 25/01/24

H09-1079-24 - FULL - Proposed residential development - 9 dwellings - Refused 27/02/25

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Cllr Hutchinson

"1. Flood Risk and Sequential Test The site lies within Flood Zone 3, and recent appeal decisions (APP/A2525/W/25/3364588 and APP/A2525/W/25/3362446) reinforce the need for compliance with Policy 4 of the South East Lincolnshire Local Plan and Paragraph 173 of the NPPF. These require that development in Flood Zones 2 and 3 must demonstrate that no reasonably available sites at lower flood risk exist.

The applicant has not provided evidence of a district-wide or settlement-specific search for alternative sites in Flood Zones 1 or 2. In both referenced appeals, the Council stated that such sites exist and should have been considered. Given the similar scale of development, the same principle applies here. The proposal therefore fails the Sequential Test and does not comply with the NPPF, PPG, or Local Plan Policy 4. Similar to the Inspectors' conclusions in the appeals this should carry significant weight against this proposal.

2. Amenity and Privacy The layout raises concerns about the amenity of future occupiers: The 6.8m separation between Plots 5/6 and Plot 4 is inadequate and would result in loss of privacy to Plot 4's garden. Plot 9's front balcony, although offset, would still allow direct views into Plot 8's rear amenity space, with only 10-11m separation between habitable rooms- below acceptable standards. The overshadowing assessment is limited, only considering one time of year and failing to assess impacts on all sides, particularly the garden east of Plot 9.

3. Parking and Highway Safety The proposal does not meet Local Plan parking standards: 8 x 3-bed dwellings require 16 spaces 1 x 4-bed dwelling requires 3 spaces Visitor parking (1 per 3 units) requires 3 spaces Total required: 22 spaces Provided: 13 spaces Shortfall: 9 spaces This site is near Edinburgh Walk and Fleet Street, areas already under parking stress due to town centre workers, school traffic, and existing restrictions near junctions and the police station. A shortfall of this scale would exacerbate congestion, potentially leading to unsafe parking and highway safety risks.

4. Design and Overdevelopment While I support redevelopment of this long-vacant site, the current proposal represents overdevelopment: The previously approved scheme (H09-1074-23) for 6 dwellings was more appropriate. The current scheme attempts to fit 9 dwellings, including a large 4-bed house and 8 smaller semis, resulting in a cramped and contrived layout. The 4-bed dwelling is set back, disrupting the street scene and lacking cohesion with surrounding development. The rear parking court is poorly integrated, enclosed by fencing with minimal landscaping and limited natural surveillance. This could lead to antisocial behaviour and security concerns
The proposal fails to meet key planning policies on flood risk, amenity, parking, and design. It would result in a development that is neither safe, sustainable, nor well-integrated into the local context".

Lincolnshire Police

Raise no objections to the proposal. Proceed to outline methods to ensure the safety of residents and to help provide a crime deterrent.

Lincolnshire Fire and Rescue

Raise no objections, but request the installation of fire hydrants at the developer's expense.

Highway and Lead Local Flood Authority

Additional information required:

"The access widths are to be detailed on the proposed site plan. The accesses proposed to be shared should measure 4.1m for the first 10m thereafter it should be a minimum of 3.7m.

The parking area to the rear says parking for dwellings and visitors - there are only enough spaces for residents in accord with SELLP not visitors.

The 4 x 3 bed dwellings proposed on the southern boundary should have 8 parking spaces you are only showing 4 - this is not sufficient.

Highway improvements will be required on Edinburgh Walk - full height kerbs to be installed at frontage and Traffic Regulation Order for Double Yellow Lines to be installed, the cost of which will be £1800.00 via a Section 106 Agreement".

Historic Places Team

"Thank you for consulting us on this application.

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

The proposed site is located in an area of high archaeological potential. The HER (Historic Environment Record) includes information about known Heritage Assets within the proposed site: Monument record MLI20227 - Medieval settlement of Holbeach and Monument record MLI20557 post Medieval settlement of Holbeach. To the northeast of the site, a survey detected 'A number of anomalies representing possible archaeological features including cut features and pits were observed.': ELI7594 - Geophysical survey on land off Battlefield Lane. To the west, archaeological interventions exposed archaeological remains: ELI2572/ELI4267 - St. John's Street. To the southwest of the proposed an intervention exposed archaeological remains ELI9030 - Watching Brief on Land to the Rear of 42 Fleet Street.

The proposed development comprises 'Proposed residential development - 9 dwellings'. The proposed development groundworks and any temporary works associated with the development (including landscaping, drainage connections and BNG planting) 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). There is archaeological potential, and we do not possess evidence that previous limited construction activity entirely disturbed/truncated possible present heritage assets. I 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 post demolition phased approach of archaeological investigation and mitigation work. This will initially comprise but may not be limited to a geoarchaeological assessment and a trial trench evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above and to inform a programme of further archaeological mitigation work which may be required if archaeological remains are identified in the evaluation.

This will enable any remaining archaeology which currently survives on this site to be properly assessed and recorded prior to their 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)."

Further comments, dated 10/10/25

"We reiterate our previous comments dated 31-07-25. Also, No objection to amendment 1"

South Holland Internal Drainage Board

"The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which may require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime."

Proceeds to outline the requirements and circumstances as to when consent would be required from the Board.

Environmental Protection

Initial comments, dated 13/08/25

No comments

Further comments, dated 18/08/25

"I request a standard land contamination condition be applied at this location."

Further comments, dated 17/10/25

"No comments regarding amendment 1 my previous comment remains the same."

SELCP Senior Ecologist

"Ecological Considerations:

-The applicant has provided a detailed PEA and BNG assessment, however, I argue that the PEA does not provide adequate evidence that no further bat surveys are required. The PEA asserted that all buildings on site had negligible bat roost potential but does not provide adequate evidence to support this conclusion. The main building is quite large and has an interior bituminous underfelt/liner, and it would be very unlikely that there are absolutely no gaps between the outer roof covering and the underlay throughout the extent of the entire building, e.g., gaps around the chimney flashing, under tiles, or around the eaves. I note that the PEA did not include any close-up photos of the roof covering for this building that would enable the authority to assess this. In addition, the LERC search results indicate that there are a relatively large number of bat sightings recorded nearby, which indicates a higher likelihood of bats using buildings in the area. Therefore, to meet our legal obligations to protected species, I believe that it would be remiss of the authority to not obtain either: a) detailed close-up photos of the roof (particularly around the eaves and chimney), or b) at least one emergence survey prior to demolition, which would enable us to determine whether a bat mitigation strategy and license is required to be in place prior to demolition works. -In other respects, we support all mitigation and enhancement recommendations provided in the PEA.

BNG Comments:

-The authority can have confidence that this application can achieve 10% biodiversity net gain. The current metric states that 0.03 habitat units will be gained on site, however, there are 2 issues with the metric assessment that require clarification for accuracy and transparency.
-The baseline map indicates a hedgerow on the south boundary of the site, however, google streetview imagery suggests that no hedge is present here, though there does appear to be an ornamental hedge bordering the vegetated garden in the site's interior. The baseline habitat map and the statutory metric should be updated to indicate the position and length of any hedgerow that has been present onsite anytime between 2020 and the present date. Similarly, the proposed site plan indicates that hedgerow will be planted, though this again is not recorded in the metric.
-We also wish the applicants to confirm whether any trees will be planted in public open space and therefore should be recorded in the post development metric information, or whether all proposed tree planting will fall within the domestic curtilage of dwellings and therefore should not be recorded in the metric. Currently, no trees are recorded in the metric.
-Lastly, we ask the applicants to confirm the area recorded as vegetated garden in the metric. We measured the garden areas from the proposed site plan and have estimated that there is 0.0164 ha less vegetated garden than the area recorded in the metric assessment. Our calculations excluded the total patio areas (0.0039 ha) as this should be classed as unvegetated garden or developed land/sealed surface.

Conclusion:

We request further evidence to demonstrate the absence of bats from the main building to be demolished prior to determination, or the applicants should commission one emergence survey covering the main building to submit to the authority prior to determination. We also require some alterations and clarifications regarding the metric assessment as mentioned above pre-commencement."

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, one letter of objection has been received.

This can be summarised as:

-Insufficient parking.

Key Planning Considerations

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.

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, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Spatial Strategy and Housing Need

Policy 1 of the SELLP 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 within the settlement of Holbeach which is classed as a main service centre within Policy 1. As such development will be permitted that supports Holbeach's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

The NPPF 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. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community."

Paragraph 73 of the NPPF also emphasises the importance that the contribution of small to medium sized sites can make in meeting the housing requirements. ("Small and medium sized sites can make an important contribution to meeting the housing requirement of an area (..) and are often built-out relatively quickly"). This paragraph 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.

As the site is within Holbeach, development within this location is considered appropriate. The proposal would support the settlement's role as a main service centre and makes a positive contribution to local housing stocks.

Therefore, the proposal is considered to be in accordance with Policy 1 of the SELLP, as well as Paragraphs 61 and 73 of the NPPF.

Previously Developed Land

Section 11 of the NPPF "making effective use of land" concerns the location of urban development. Paragraph 124 of Section 11 states:

"Planning policies and decisions should promote an effective use of land in meeting the need for

homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land".

Paragraph 125(c) expands upon this stating:

"planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused".

Annex 2 of the NPPF provides a definition for brownfield land and previously developed land (which share a definition), which is as follows:

"Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."

On this basis, the proposal is considered to conform to the definition of previously developed land as it would involve the redevelopment of an existing area of development. As such, substantial weight is given in favour of the proposal.

Summary

The proposal involves the redevelopment of previously developed land, within an appropriate settlement location. On this basis, the proposal is considered to be in accordance with Policy 1 of the SELLP and Sections 5 and 11 of the NPPF.

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

Policy Context

Section 12 of the NPPF, "Achieving well-designed places", states 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 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. 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. Developments 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, among other considerations.

Paragraph 139 of the NPPF states: "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout

of their surroundings."

South Holland do not have a local design guide, meaning that supplementary guidance on design matters is principally driven by national documents, including the National Design Guide (NDG). The NDG outlines broad principles for well designed places. The NDG is supported by the National Model Design Code (NMDC), which has a greater emphasis on matters such as density and built form, and approaches assessments in a more empirical manner.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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 NPPF 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.

The proposal relates to two distinct features, the eight semi-detached dwellings and the larger detached dwelling at Plot 9. The assessment has been split accordingly.

Plot 1-8

Whilst there is not a clear build line throughout Edinburgh Walk, the eastern side of the road is consistent in displaying a significant set back distance to the footpath. This has created a clear openness within the residential built form of the eastern side of Edinburgh Walk. It is acknowledged that the existing, squat, single storey building present on the Hook's site immediately fronts the footpath; however, it is considered that once development occurs, there would be a change in the character of the area from commercial (which enables the existing built form to be read separately from the existing area) to residential, meaning that there would be a greater need for consistency in built form.

The proposed Plots 1-4 are set back a greater distance from the footpath than the previous refusal on the site (H09-1079-24), which explicitly mentioned this set back distance as a point of concern. Moreover, the planting proposed has helped to create functional and visual separation from the footpath to the principal elevation of the dwellings. Nevertheless, it is considered that there would still be a break in the established built form of the area by positioning the dwellings overly close to the road. When this is combined with the relatively significant height of Plots 1-4, the effect is a more imposing development, which constricts the sense of openness within this section Edinburgh Walk.

Turning to the positioning of Plots 5-8, these plots can be seen, to a certain extent, as outliers along Fleet Street as a whole, due to their relatively close positioning to the footpath. That being said, Mayfield Rest Home and Plot 9, coupled with the new Aldi on the opposite site of the road, create a clear physical and character break between the site and the dwellings further east on Fleet Street. The police station and entrance to Edinburgh Walk then create a physical boundary to the western portion of Fleet Street. As a result, looking solely at the positioning of the dwellings, Plots 5-8 can be read as a separate parcel of development to the rest of the street, which in effects bridges the gap between suburban and urban built form, enabling greater flexibility with respect to distances to highways. On this basis, the positioning of Plots 5-8 is considered acceptable.

Plots 1-4 would have an eaves and ridge height of 4930mm and 8375mm respectively, whilst Plots 5-8 would have an eaves and ridge height of 5411mm and 8445mm respectively. Plots 5-8 are slightly taller than conventional housing within the area, the perception of this being exacerbated by the proximity to the footpath; however, are not so inconsistent as to appear immediately incongruous, when heights are taken in isolation of other factors. Plots 1-4 are similarly tall in comparison to nearby dwellings, in particular those to the north of the site along Edinburgh Walks' eastern edge, many of which are single storey. On this basis, the dwellings, when height is taken purely in isolation of other factors, would look somewhat out of keeping with the existing built form of the Edinburgh Walk.

The aesthetics and width and depths of the of the proposed dwellings, again taken isolation of other factors, appear to be acceptable. Whilst not necessarily indicative of designs in the immediate area, they are typical enough of Holbeach as a whole as to not necessarily appear immediately harmful.

Taken in isolation, the features above may not necessarily be harmful. That being said, the accumulation of atypical features would result in the proposed development appearing as an outlier in its immediate setting. This in turn would lead to the development being read as an individual unit as opposed to an extension of the existing built form. To a certain extent, this would result in the site failing to achieve the objectives of the NDG and NMDC, in particular Paragraph 51 of the NDG which states: "Well-designed places, buildings and spaces: have a positive and coherent identity that everyone can identify with". Similarly Paragraphs 53 and 56 of the NDG outline the importance of an understanding of local character context. The caveats provided under Paragraph 59 of the NDG are not considered applicable here, as the atypical features are a result of individual design choices rather than responding to changes in habit.

Proposed here is a parking court arrangement. Again, this is unusual in this setting. The parking court arrangement would be more typical of an informal block arrangement (see Page 34 of NMDC Part 2) rather than an edge of centre location such as this site. When viewed aerially, and when combined with the proposed irregular garden arrangements, the result is a contrived development which does not wholly respond to its setting, where frontage or side parking is the norm. The parking court arrangement furthers a sense of placeness emerging within the development.

Paragraph 129 of the NDG is clear that:

"Well-designed buildings are carefully integrated with their surrounding external space. All private and shared external spaces including parking, are high quality, convenient and function well".

Paragraph 86 states:

"Well-designed parking is attractive, well-landscaped and sensitively integrated into the built form so that it does not dominate the development or the street scene. It incorporates green infrastructure, including trees, to soften the visual impact of cars, help improve air quality and contribute to biodiversity. Its arrangement and positioning relative to building limit its impacts, whilst ensuring it is secure and overlooked".

It is considered that the proposed arrangement would fail to adhere to these paragraphs, as the land-take of the parking court would be overly significant, causing it to dominate the arrangement of the site. The positioning of the parking relates poorly to Plot 8 in particular, where the garden layout has had to be adapted to form a small kink to ensure access. Landscaping is minimal, particularly along the boundaries of the garden where only a timber fence is proposed. This results in a harder form of development, which fails to fully integrate itself into the wider site, thereby lacking the requirements of Paragraph 86 of the NDG. Overlooking is present but limited to a few of the plots, which would have their views obscured by the proposed planting arrangement, reducing the efficacy of surveillance.

The density of Plots 1-8, calculated to be approximately 49dph, is not unusual within the broad context of suburban or urban development, as outlined on Page 21 of the NMDC. However, this density far exceeds those along Edinburgh Walk and the eastern portion of Fleet Street and the densities prescribed within the South East Lincolnshire Strategic Housing Land Availability Assessment, which favours a 20-30dph average. The perceived density is exacerbated by the significant scale, lack of set back of the dwelling, and poor utilisation of space within the site due to the parking court and irregular garden spaces. This furthers the incongruous nature of the development.

As a result, it is considered that Plots 1-8 fail to reflect the guidance of the NDG and NMDC, resulting in a poorly integrated development which would be harmful to the character and appearance of the area.

Plot 9

Plot 9 is functionally and visually detached from the rest of the development. The positioning, design and scale all result in the proposal being read as detached from Plots 1-8. To a certain extent, this reduces the coherence of the overall scheme, although this distinction is clearly intentional and, on that basis, would not be overly harmful.

The scale of the dwelling is substantial. However, within the wider area, there are examples of comparably large buildings, particularly the adjacent care home, which would help to naturalise the proposal to a certain extent. As Plot 9 already appears visually distinct from the rest of the proposal, this difference in scale would simply further this perception. Moreover, the significant set back distance would reduce the perceived scale of the dwelling.

A modern approach has been taken with the design. To a certain extent, this would reduce the integration of the design with the 20th century developments in the area. Some features, such as the balcony to the front, are not typical of the area, and would therefore detract somewhat from the character of the locale. Despite the more modern elements, the proposal is not entirely distinct from the area due to the appropriation of certain typical design conventions.

Whilst the provisions of the NDG regarding responding to the locale are noted, it is clear that the intention of this development is to create a somewhat distinct identity within the plot itself. Paragraph 60 of the NDG enables the creation of a new and positive character to enhance the identity of an existing place which limited or few positive qualities. The provisions of this paragraph are noted; however, it is not considered that the proposal is distinct enough from the area, nor of sufficient quality, to obtain the weight in favour warranted by Paragraph 60 of the NDG. Whilst Plot 9 would not necessarily worsen the area, it would not enhance it significantly or result in the forging of a new character.

Summary

In summary, the proposed design is considered to fail to fully relate to its setting. The scale, positioning, layout and overall approach would result in a development which lacks coherence in its setting. As a result, the proposal, in particular Plots 1-8, would detract from the existing character of the area.

Paragraph 139 of the NPPF outlines "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes". The proposal is considered to fail to reflect the provisions of the NDG and NMDC, and would therefore be contrary to Paragraph 139 of the NPPF.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be unacceptable. The proposal would cause an adverse impact to the character and appearance of the area and would therefore be contrary to Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposal is not considered to have an unacceptable amenity impact on external properties. For Plots 1-8, adequate separation distances to neighbouring properties. No first floor windows on the side elevations of Plots 1-8, whilst rear window solely face into the site, preventing overlooking from Plots 1-8. These Plots would not overshadow neighbouring dwellings.

A daylight assessment has been provided as part of this proposal. This shows that the western elevation of the adjacent care home is already in shadow due to the existing trees. The proposal would not exacerbate the level of shadow cast. In stepping the roof towards this boundary downwards, there would be a reduced level of shadow cast in any event. The rear windows of Plot 9 would create some level of overlooking towards 1 Creewood Close, albeit this is not considered to be overly untoward.

Within the development itself, the garden of Plot 4 would be significantly overlooking by Plots 5 and 6. This would be to the detriment of the potential occupants. On balance, this is not considered to be so significant as to resist the whole development.

As detailed above, the scale and design of the proposal is considered to have 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 Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 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. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, 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.

The proposal fails to meet parking standards for Plots 1-8. That being said, along Fleet Street, there are ample opportunities for on-street parking, with unassigned bays located along the length of the road. Excess parking need could be accommodated here. Moreover, the site has a strong relationship with the town centre and has a supermarket immediately opposite. A bus stop is located in close proximity to the site. On this basis, the tangible need for multiple vehicles is reduced. The development would ensure the use of sustainable means of transport, rather than giving first preference to private vehicles.

It is proposed that an existing access would be utilised. On this basis, the access is considered to be acceptable, offering suitable visibility. The intention to raise kerb height to prevent on street parking along Edinburgh Walk will help to ensure visibility. Turning would be onto a minor road, which is not overly significantly trafficked.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Flooding Considerations

Section 14 of the NPPF requires development plans to "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: (...) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 174 of the NPPF states "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". The strategic flood risk assessment provides the basis for applying this test.

Paragraph 175 of the NPPF states 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 process for applying the Exception Test is outlined within Paragraphs 177, 178 and 179 of the NPPF. Paragraph 178 states "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"

The site lies within Flood Zone 3 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 SELLP 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 SFRA as a basis to apply the sequential test.

The Residual Flood Hazard Map for the 1% fluvial and 0.5% tidal event shows the site being outside of any hazard area for the present day, and for 2116. The Residual Peak Depth Map for the 1% fluvial and 0.5% tidal shows that the site is outside of the area at risk in the present day, and for 2116.

Due to the nature of the development, it is deemed appropriate to use a settlement specific search for sites. Within the SFRA the site is outside of an identified hazard zone. Given that much of Holbeach is within a hazard zone, the site would be sequentially preferable. Paragraph 174 of the NPPF is explicit that "The strategic flood risk assessment will provide the basis for applying this test." On this basis, the SFRA are the most appropriate source of information for the application of the test in this specific instance. In any event, within the Environment Agency maps, the majority of Holbeach (bar the historic core which is developed to such an extent as to prevent any reasonably available sites from being available) is within Flood Zone 3, and so it would be entirely inappropriate to say that this site is not sequentially preferable simply because it is in Flood Zone 3.

Mitigation has been proposed including finished floor levels being 0.3m above surrounding ground level and 0.3m of flood resilient construction above finished floor levels. These mitigation measures would be subject to a condition. The proposed mitigation would ensure the development would be safe for its lifetime, thereby meeting the requirements of the exceptions test in any event.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that

seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

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

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

When taking the above into account, the development in this instance is not exempt from the statutory 10% Biodiversity Net Gain requirements. That being said, the submitted information appears to show that net gain could be readily achieved on site.

Archaeology

Part C of Policy 29 concerns "archaeology and scheduled monuments". This Policy outlines five assessment points for an application which may impact upon archaeological remains, the first three of which are particularly relevant here:

- "1. Proposals that affect archaeological remains, whether known or potential, designated or non-designated, should take every reasonable step to protect and, where possible, enhance their significance.
- 2. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.
- 3. If initial assessment does not provide sufficient information, developers will be required to undertake field evaluation in advance of determination of the application. This may include a range of techniques for both intrusive and non-intrusive evaluation, as appropriate to the site."

Paragraph 205 of the National Planning Policy Framework (December 2024) states:

"Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

- a) assess the significance of heritage assets and the contribution they make to their environment; and
- b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future."

In this instance, the historic environment record comes from the Lincolnshire Historic Environmental Record (LHER). The LPA's interpretation of the information within the LHER is informed via consultation with the Historic Places Team of Lincolnshire County Council (HPT), who maintain the LHER.

The public information relating to the LHER is taken from the Lincolnshire Heritage Explorer (LHE). The LHE is not a comprehensive database, and the information contained within it is constantly evolving. The LHE webpage is explicit that "the information provided through the Lincolnshire Heritage Explorer is only part of that held by the LHER, and will not be sufficient on its own to inform the planning process".

Sites of archaeological interest can broadly be separated into two categories: designated assets and non-designated assets. Designated assets, such as scheduled monuments, are far rarer and only occur in places where the requirements of the Ancient Monuments and Archaeological Areas Act 1979 can be applied. These are sites which have a pre-established significance to archaeological understanding at a wider national level, and must be designated by the Secretary of State as such. Accordingly, such sites are rare and are often designated after the scope of the asset has been established. The site in this instance is not designated.

Footnote 75 of the National Planning Policy Framework (December 2024) states that: "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets."

It has been stated by the relevant consultee from the HPT, that the site is in an area of high medieval and post-medieval archaeological potential. On this basis, the site can be considered a site of archaeological interest, and a potential non-designated heritage asset.

On this basis, they have recommended that, in the event the proposal is approved, the standard suite of archaeological conditions is imposed. The conditions would require the submission of a written scheme of archaeological investigation, followed by archaeological works to be done in accordance with the approved scheme. There is no evidence before the Planning Department which would indicate that this would be excessive.

Without the imposition of the requested condition, there is the potential for harm to a non-designated heritage asset, via the disturbance of a site of potential archaeological interest. On this basis, it is considered necessary to impose these conditions.

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.

Paragraph 125 of the NPPF states that planning decisions should "give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused".

It has been identified that the proposal would result in significant harm to the character and appearance of the area. The introduction of atypical features, an overly dense and contrived arrangement, and a lack of proper integration within its setting would all lead to an unacceptable design which would fail to achieve the aims of the NDG and the NMDC.

There would be a benefit arising from the addition of nine dwellings, which would make a contribution to the housing needs of the area. That being said, SHDC can demonstrate a five-year housing land supply and there are allocated sites within Holbeach which are yet to come forward. On this basis, the weight accorded to this point is reduced accordingly.

Therefore, in line with Paragraph 139 of the NPPF, the planning balance is against the proposal.

Additional Considerations

Public Sector Equality Duty

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

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

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

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

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

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

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

Human Rights

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

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

Conclusion

Taking these factors into consideration, the proposal is considered contrary to Policies 2 and 3 of the SELLP, as well as Section 12 of the NPPF. There are no significant factors in this case that would outweigh the harm of the proposal; therefore, the planning balance is against the proposal.

Recommendation

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