DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-1054-25**	**Applicant:**	**Ms R Runciman**
Proposal:	Proposed new vehicular access		
Location:	1 Tinsley Cottage Hurn Road Holbeach Hurn		
Terminal Date:	14th May 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
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 9 - Promoting sustainable transport
Section 12 - Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is a full application seeking permission for vehicular access at 1 Tinsley Cottage, Hurn Road, Holbeach Hurn.

The new access would create a dedicated access to serve the residential property whilst also providing two parking spaces. The access would feature gravel and would be located directly north of the house itself.

Site Description

The site is located outside any defined settlement boundary and is therefore within the open countryside as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP).

No. 1 Tinsley Cottage is a semi-detached residential dwelling sharing its boundary with No. 2 Tinsley Cottage. It is constructed from brickwork with a tiled roof and wooden windows.

History

No relevant site history.

Consultation Responses

South Holland Internal Drainage Board

No comments.

Lincolnshire County Council Highways & SuDS

ADDITIONAL INFORMATION REQUIRED.

Visibility needs demonstrating in accordance with Manual for Streets.

Comments After Amendment

I have looked at both visibility splays and they go through the front boundary hedge and into third party land. Therefore, visibility cannot be achieved in accordance with Manual for Streets. Drivers will not be able to see through the hedge. There is a bend in the road so users of the public highway travelling in a northerly direction would not see vehicles emerging into the highway.

As there are no turning facilities vehicles would either be reversing into the highway or they would have to reverse into the parking spaces to be able to leave in a forward gear.

If they wish to pursue with this, they need to show the actual visibility they can achieve accompanied by speed readings to ascertain the actual vehicle speeds along this road.

Comments After Additional Amendment

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:

Proposed new vehicular access - visibility has been demonstrated in accordance with Manual for Streets, a condition is required to reduce the height of the boundary hedge contained within the visibility splay. The access is to be constructed to Lincolnshire County Council Specification and a condition is required to agree the construction specification. A turning facility has been included in the layout to ensure that all calling vehicles can enter and leave the site in a forward gear in the interests of highway safety and the safety of the users of the site. 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.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Highway Condition 13

Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land within the visibility splays illustrated on drawing number PP1100-Rev B dated April 2026 and thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6 metres in height.

Reason: So that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

Highway Condition 11A.

Prior to first commencement on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first occupied and thereafter retained at all times.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

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.

Conservation Officer

No objection to this proposal.

Ecology

Summary: There has been sufficient evidence provided to determine this application, however we require alterations to be made to the BNG metric pre-commencement which we believe will incur a unit deficit of 0.0451 which will need to be secured offsite pre-commencement.

Documents reviewed:

· BNG Small Sites Metric
· BNG statement
· Planning Drawing Habitat Plan

Comments

Ecological Considerations:
· We believe that the habitats on site have the potential to support nesting birds (tree to be removed). It is an offence under Section 1 of the Wildlife and Countryside Act of 1981(WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. Therefore, we request a condition requiring that: Works should not be carried out in the main nesting season (March 1st - August 31st). If not possible then a suitably qualified ecologist must perform a breeding bird survey of the site prior to any works beginning onsite.
Any active nests discovered during inspections will be protected with a suitable exclusion buffer (of appropriate size to the species) to prevent disturbance and monitored until the nest is no longer active / all chicks have fledged, when the ecologist will provide a sign off for clearance work to continue.

BNG Comments and Notes to applicant
· Following guidance from the BNG user guide (page 56) any trees planted within the domestic curtilage of a property as created habitat should be classed as vegetated garden and not individual trees due to permitted development rights. This would mean that unfortunately all the new trees proposed on site would need to be classed as vegetated garden. Therefore, with this alteration, mandatory 10% net gain would not be achieved on this site and 0.0451 habitat area units would need to be secured off-site if no other on site habitat creation can
be achieved.

· The offsite units will need to be secured pre-commencement and can be achieved via 2 routes:
o Bespoke habitat creation/enhancement could be undertaken by the applicants on land they own elsewhere or in agreement with another landowner. To discharge the biodiversity gain condition the applicants would have to secure the appropriate habitat creation/enhancement by either entering a section 106 agreement with the local authority or through undertaking a conservation covenant with a responsible body pre-commencement.
o The applicants could purchase the appropriate number of units from an off-site habitat bank and evidence this to the authority pre-commencement. This can be achieved through the applicants contacting an off-site unit provider, aka a habitat bank, (which has biodiversity units registered on the national gain-site registry) to arrange a contract for the applicant to purchase the necessary units from the habitat bank. The habitat bank then notifies the national gain-site register to allocate the specifically referenced units to the applicant. To discharge the general biodiversity
gain condition, the applicant provides us with this reference information and evidence of the purchase (e.g. a receipt or copy of the contract with the habitat bank) along with the biodiversity gain plan that they must submit to us pre-commencement. These details are also recorded within a finalized version of the metric submitted with the gain plan. The authority can then independently confirm the unit transfer by checking the unit references against the national gain-site register and then approve the gain plan to discharge the Biodiversity Gain condition.

Specific BNG condition request
· We will require a biodiversity gain plan to be provided pre-commencement.
· We shall also require a finalized BNG metric including all details of offsite habitat units that have been secured, and offsite habitat unit documents to be provided pre-commencement.

Conclusion: There has been sufficient evidence provided to determine this application, however we require alterations to be made to the BNG metric pre-commencement which we believe will incur a unit deficit of 0.0451 which will need to be secured offsite 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.

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.

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.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates that within Main 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.

The application site in this instance is outside any defined settlement boundary as detailed by Policy 1. Regardless of such, the proposal solely relates to the creation of a new vehicular access at an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate, comprising an appropriate form of development for the location.

As such, the proposal is considered to be acceptable with the requirements of the South East Lincolnshire Local Plan (2019) when viewed in 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, and impact on highway safety, 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.

The proposed vehicular access, as detailed above, would comprise an access leading out onto Hurn Road. Despite the rural nature of the site, Saltern House opposite the site features an existing access which has been in situ for some time, and thus, whilst the feature is uncommon this can mostly be put down to the limited residential dwellings in the area.

Furthermore, the access itself would run along past the house with two parking spaces set to the rear of the dwelling. This area would be constructed from gravel, in the large part, with this material for an access not be uncommon showing that the use of gravel is fairly commonplace; albeit details are sought via condition to ensure appropriate surfacing towards the access point to the highway.

Overall the siting of this new vehicular access would not appear out of keeping, or cause detrimental impact upon the character or appearance of the area in this instance.

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.

By virtue of the extent and nature of the development, a proposed vehicular access would have no significant or unacceptable detrimental impact upon the residential amenities of neighbouring or nearby properties.

The nature of the proposal is such that no additional built form is proposed and such, no overlooking, loss of privacy or overbearing/oppressive development is to be carried out.

Whilst it could considered that, given the proposal would introduce a new access and parking

provision, an increase in vehicle movement could occur; and therefore a noise increase could be considered also. At most, the access provides room for two vehicles whilst the road is a main road and has the potential to be frequented somewhat often by vehicles. The resultant impact of the development is not considered to give rise to an unacceptable nuisance in respect of noise, or additional vehicular movement that would give rise to an unacceptable impact upon neighbouring amenities.

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).

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.

The access identifies two vehicle parking spaces for the residents to use and would provide better provision on site due to the lack of existing arrangements. From the Planning Statement, it is clear that to the creation of the new access would remove the need for residential traffic to pass through the working farmyard and in turn reduce the risk of conflict between domestic vehicles and agricultural machinery. As such, the access would allow for suitable off-street parking and could create a more safe and accessible feature.

Due to the proposal creating a new access, LCC Highways have been consulted on the application in order to assess the safety and any potential harm to the highway. Their initial comments sought additional information in relation to the visibility needing to be demonstrated in accordance with the Manual for Streets.

This information was subsequently provided with their new comments stating that visibility cannot be achieved in accordance with Manual for Streets due to the visibility splays going through the front boundary hedge and into third party land. The drivers are not considered to be able to see through the hedge with there also being a bend in the road so that users of the public highway would not see emerging vehicles when travelling north. Furthermore, no turning facilities were provided within the new access and as such vehicles must reverse into the space to be able to exit the site in a forward gear. To alleviate these concerns, they must show the actual visibility that can be achieved alongside speed readings to ascertain the actual vehicle speeds along this road.

These concerns wee raised with the applicant/agent and it was concluded that a turning space would be introduced onto the access so that cars could now exit in a forward gear. LCC Highways have consulted further with them now raising no objections and outlining the following. Visibility has been demonstrated in accordance with Manual for Streets with them suggesting that a condition be attached to the decision notice which reduces the height of the boundary hedge contained within the visibility splay. Furthermore, the access is to be constructed to LCC Specification and a condition will be attached to ensure this.

They state that the turning facility ensures that all vehicles can enter and leave the site in a forward

gear which allows for the safety of the highway and users of the site. As such, no objections have been raised and all relevant conditions will be included within the decision notice.

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).

Flood Risk

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".

It is important to note that whilst minor developments must meet the requirements for site-specific flood risk assessments, they should not be subject to the sequential test, nor the exception test, as outlined in Paragraph 176 and to be read in conjunction with footnote 62.

The site lies within Flood Zones 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.

The property is located within Flood Zone 1 and an area of no hazard within the SFRA. Furthermore, the application is purely for a new vehicular access which itself would be constructed from gravel, a permeable material. There would not not be any significant harm raised and it would not materially increase the flood risk for the site and surrounding area in a harmful way.

Overall, when considering the development on balance, it is considered that given the mitigation measures detailed and recommended by condition, 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.

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 is not exempt from the statutory 10% Biodiversity Net Gain requirements. Following amendments to the proposal which saw the addition of a turning area, BNG is necessary to be provided due to the overall size of the access. A BNG Small Sites Metric, BNG Statement and Planning Drawing Habitat Plan have been submitted to outline how they will meet the statutory requirements.

When taking the above into account, the development in this instance is not exempt from the statutory 10% Biodiversity Net Gain requirements.

It is considered that the habitat has the potential to support nesting birds, therefore, should the application be approved a condition should be attached which requires that development should not be carried out between March 1st - August 31st. However, if this is not possible, then a suitably qualified ecologist must perform a breeding bird survey of the site prior to any works beginning. Furthermore, any active nests discovered during inspections should be protected with a suitable exclusion buffer to prevent disturbance and monitored until the nest is no longer active and when the ecologist provides a sign off for clearance works to continue.

In regard to the BNG, any trees planted with the domestic curtilage should be classed as vegetated garden and not individual trees due to permitted development rights. As such, all new trees proposed on site would need to be classed as vegetated garden meaning mandatory 10% net gain would not be achieved on site and 0.0451 habitat area units would need to be secured off-site if no other on site habitat creation can be achieved.

The offsite units will need to be secured pre-commencement and can be achieved via two routes. These include, bespoke habitat creation/enhancement via the applicants on land they own elsewhere in agreement with another landowner. To achieve this and discharge the BNG condition, the applicant would need to secure the appropriate habitat creation/enhancement through a Section 106 Agreement or through undertaking a Conservation Covenant with a responsible body pre-commencement.

Alternatively, the applicants could purchase the appropriate number of units from an off-site habitat bank and provide evidence of this to the LPA pre-commencement. To achieve this, the applicants are able to contact an off-site unit provider and arrange the purchase of the necessary units from the habitat bank. This is then notified to the national gain-site to allocate the units to the applicant. To subsequently discharge this, the applicant should provide the LPA with the relevant information and evidence of the purchase along with the biodiversity gain plan. These details are also recorded within a finalized version of the metric submitted with the gain plan and the authority can then independently confirm the unit transfer by checking the unit references against the national gain-site register and then approve the gain plan to discharge the Biodiversity Gain condition. It is also required that a finalized BNG metric including all details of offsite habitat units that have been secured, and offsite habitat unit documents to be provided pre-commencement.

To conclude, there has been sufficient evidence provided within this application to allow for an appropriate determination in relation to BNG. However, alterations are required to be made to the BNG metric pre-commencement which will incur a unit deficit of 0.0451 to be secured off-site pre-commencement.

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 outside 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 and safe access/egress to and from the site, 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.