DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-1118-25**	**Applicant:**	**Mr I Dinaburgs**
Proposal:	Proposed Close Boarded Fencing		
Location:	10 Sluice Road Holbeach Clough Spalding		
Terminal Date:	19th January 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
07	Improving South East Lincolnshire's Employment Land Portfolio
30	Pollution

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

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

CASE OFFICER ASSESSMENT

Description of Proposal

The application seeks full planning permission for the installation of 2.5m high close boarded fencing around the application site. 2m high fencing is proposed to be retained along the site frontage with Sluice Road.

Site Description

The site comprises land to the north of 10 Sluice Road. The land was formerly used as part of the garden for 10 Sluice Road which is a semi-detached dwelling. The land is enclosed by fencing including a close boarded timber fence and gate along the site frontage.

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

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

Relevant Planning History

H09-1057-13: (Full Application) Fence to front boundary (retrospective) - approved 15 January 2014

H09-0686-25: (Full Application) Use of site for wood storage & distribution business - Retrospective - approved 03 September 2025

Consultation Responses

Responses have been received from the below referenced consultees. The responses are summarised below, however, the responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS: The proposal is for close boarded fencing and it does not have an impact on the Public Highway or Surface Water Flood Risk.

South Holland Internal Drainage Board: Having screened the application, whilst the site in question lies within the Internal Drainage District of the South Holland Internal Drainage Board the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy. Therefore the Board has no comments to make.

Holbeach Parish Council: No response received.

Cllr C N Worth: No response received.

Ecology Officer: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no representations have been received from members of the public.

Key Planning Considerations

Development Plan

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

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the

development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

-Design and Visual Impact;
-Highway Safety and Parking;
-Flood Risk; and
-Biodiversity Net Gain.

These matters are assessed in turn below.

Design and Visual Impact

Paragraph 135 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping.

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

Policy 3 of the Local Plan 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.

The site layout is proposed to remain unchanged from the approved layout from permission H09-0686-25, other than the proposed increase in height to the perimeter fencing from 2m to 2.5m. The site is within a rural and relatively isolated position. For example, other than the dwelling to the south, the site is mostly surrounded by agricultural land. The site was already proposed to be enclosed by fencing, creating a sense of enclosure and containment. Furthermore, the site slopes downwards from Sluice Road and as such, the sloped nature of the site would assist with the visual impact of the fencing.

Whilst the close boarded fencing contrasts with the previously open nature of the site, permitted development rights already allow for the installation of a 2m high fence around much of the site, except for next to the public highway. As such, and on balance, the proposed increase in height is considered to be acceptable in this instance. Therefore, the proposal would not cause an adverse impact to the character or appearance of the area in accordance with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

The existing vehicular access to the site is taken from Sluice Road which is to the west of the site. Three parking spaces are proposed near the northern edge of the site. The site layout remains unchanged from the approved layout from permission H09-0686-25, other than the proposed increase in height to the perimeter fencing. As such, the fencing next to Sluice Road would remain 2m in height, as previously approved. Lincolnshire County Council's highways team have not raised any objections to the proposed increase in height to the fencing as it should not affect visibility splays.

Therefore, the proposal would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Flood Risk

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps. Within the South East Lincolnshire Strategic Flood Risk Assessment, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is identified within a low hazard area. The SFRA does not recommend any specific mitigation for fencing within low hazard areas. Furthermore, the proposed development is not likely to increase the risk of flooding within the site. Therefore, the development satisfactorily accords with Policy 4 of the Local Plan and Section 14 of the NPPF.

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 is considered to be exempt from the statutory BNG requirement as the proposed would fall under the de minimis exemption.

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 proposed development is appropriate and would not materially harm the character or appearance of the locality. The development is acceptable in terms of highway safety and flood risk.

Overall, the proposed development accords with the Local Plan and the NPPF.

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 proposed development accords with Policies 1, 2, 3 and 4 of the Local Plan, as well as Sections 9, 11, 12 and 14 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

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