DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0573-25**	**Applicant:**	**Mr R Gaunt**
Proposal:	Proposed Replacement Dwelling		
Location:	18 Crossgate Lane Pinchbeck Spalding		
Terminal Date:	19th September 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision making
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Representations:

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

WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application seeking permission for a proposed replacement dwelling at 18 Crossgate Lane, Pinchbeck.

The replacement dwelling would be constructed from red brick, grey concrete roof tiles, cream uPVC windows and doors, reconstituted stone cil and head and black uPVC rainwater goods. It would have a total height of around 6000mm and be 3100mm to the eaves. Finally, it would have an internal floor space of 142sqm.

Site Description

The site is located within the defined settlement boundary of Pinchbeck as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). Crossgate Lane is located just off Surfleet Road within the northern part of the settlement. No 18 is a detached bungalow on a relatively small plot. A large field is located to the south of the site which has recently received permission for new houses.

History

No relevant site history.

Consultation Responses

Pinchbeck Parish Council

The Council considers that the proposed replacement dwelling is in keeping with the character and appearance of the existing street scene, and the design is appropriate for its setting.

Welland and Deepings Internal Drainage Board

No comments.

Lincolnshire County Council Highways Authority

ADDITIONAL INFORMATION REQUIRED

A three-bed dwelling should have two parking spaces, for a garage to be classed as a parking space it should measure 3m x 6m.

New comments following 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:

The proposal is for a replacement Dwelling. The dwelling is proposed to have three bedrooms, the access exists, and they have demonstrated sufficient parking for the dwelling to include a parking space in the garage which is of adequate size to accommodate a parked car. The proposal will not have an adverse impact on the public highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Informatives

Highway Informative 08

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

Lincolnshire County Council Historic Places

Thank you for consulting us on this.

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

We reiterate our previous comments. Also, No objection to amendment 1.

Senior Ecologist

H14-0573-25 - 18 Crossgate Lane Pinchbeck Spalding PE11 3XW

Planning Permission - Proposed Replacement Dwelling

Documents reviewed:
- BNG Small Sites Metric
- BNG assessment
- Baseline and Post-development maps

Comments
- Overall, the biodiversity assessment and metric calculations appear rigorous, and we can have confidence in their conclusions. In this case the metric indicates that 10% mandatory net gain can be achieved on-site with a predicted overall gain of 18.33% in Habitat units (0.0027 units).
- We request that one or more integrated universal nest bricks (e.g., S Brick, Swift Nesting Brick, Manthorpe, Swift Bricks: The 'Universal' Nest Brick - by Dick Newell | CIEEM) and bat boxes (e.g., Integrated / Built-In Bat Boxes, Integrated Eco Bat Box | The Nestbox Company) to enhance biodiversity according to Local Plan Policy 7.2.14.

South Holland District Council Environmental Protection

No comments regarding land contamination.

Public Representation
This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

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

Evaluation

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

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above .

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

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

Planning Considerations

Principle of Development and Sustainability

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development are areas of limited development opportunity including 'Minor Service Centres', with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

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

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

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

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

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

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

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

Development proposals should also ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

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

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

The existing dwelling is made from white render, brown roof tiles, white uPVC windows with black wooden fascia's. As the majority of properties along Crossgate Lane are made from red bricks, the design of this extant dwelling juxtaposes this. Therefore, the use of cottage mixture facing bricks for

the replacement dwelling in this instance would be better suited to the wider area. Alongside this, the use of grey concrete roof tiles, black uPVC rainwater goods and cream uPVC windows and doors are also acceptable in this location and ensure the dwelling does not appear incongruous within the immediate area.

In relation to the siting of the new dwelling within this plot, it is considered that it fits well and is a of a proportionate scale to the site and in comparison to other plots along Crossgate Lane. Whilst the dwelling is longer than the existing, it still fits well within the site and does not appear as a cramped form of development. It should be noted that although the majority of dwellings further along Crossgate Lane are two storey, those near the junction to Surfleet Road commonly feature bungalows, the design and use of a bungalow is therefore considered to be acceptable.

Internally, the main hallway would provide access into Bedroom 1 (and en-suite), Bedroom 2 and 3 and a shared bathroom. The rear most room features an open plan kitchen, dining and living area with a utility just off from this. The garage is connected to the house yet can only be accessed externally. Each room has adequate natural light with a large set of bi-fold doors across the rear elevation. The layout is therefore suitable and flows well. It could be considered that the size of the rear garden is of a fairly small scale, however, this is not too dissimilar to the existing and is not significant enough to warrant a refusal for the application.

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.

The positioning of the plot results in a lack of overshadowing to either the neighbour to the north and the south. Naturally, as the sun rises in the east and sets in the west any shadow that would arise following the construction of this replacement dwelling would only be in these directions. It should be noted that there is a neighbouring property directly to the rear of the application site, however, a shadow in this instance would only be at the early stages of the day when the sun is rising at its lowest point. As such, there is not considered to be any material overshadowing following the erection of this replacement dwelling.

Due to the finished floor levels of the proposed dwelling being raised fairly significantly, concerns were raised regarding the siting of windows and heights of boundary treatments to accommodate this. The levels have been raised to 800mm meaning the previous 2m fence would only sit at 1.2m when viewed internally. Amendments were made to this, increasing the fence to 2.2m plus 300mm of trellising, meaning the fence when viewed internally would be 1.4m with the trellising adding part obscuration for 300mm.

It should also be noted that the plans indicate that the bedroom window which would directly face No.16 faces an already obscure glazed window, whilst the only other window along this elevation is for a bathroom which would be an obscure glazed window itself.

The windows on the opposite elevation would have a distance of around 10m to the northern neighbour. The incorporation of a 2.2m fence with 300mm of trellis in this location would be a significant improvement over the current low mesh fence towards the end of the plot. As such, there should be no material overlooking that arises following the construction of the dwelling plus the raising of the finished floor levels on site.

As detailed above, the scale and design of the proposal is considered to be such that there would

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

Flood Risk and Drainage

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

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

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

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

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

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

The site lies within Flood Zones 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 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 potential sources of flooding identified within the Flood Risk Assessment are failure or overtopping of the tidal defences, overtopping of the River Glen, flooding from Vernatts Drain, flooding from IDB watercourses, flooding from a failure of IDB Pumping Station and surface water flooding. It is considered that raising the floor levels to mitigate the risk of these flooding sources is

acceptable in this instance. The conclusion outlines that the proposed development is not in a functional flood plain and whilst it is within Flood Zone 3 the actual risk of the site flooding is 'extremely low'. The risk of flooding through a breach of tidal defences is also 'extremely low'.

The Sequential Test within the submitted Flood Risk Assessment demonstrates that it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding. This is due to the fact that the development is for a replacement dwelling rather than a completely new dwelling and as such it is not possible for it be located elsewhere. It also goes on to say that the safety of the dwelling will be ensured through the raising of the finished floor levels. The sequential test can therefore be passed. The Exception Test must be applied and to pass this:
- It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risks, informed by the Strategic Flood Risk Assessment; and
- A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking into account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall.

It is considered that that first section will be demonstrated by the Supporting Planning Statement and compliance with the LPAs planning policies whilst the FRA demonstrates that the development will be safe for its lifetime and will not increase the flood risk elsewhere. It therefore clearly passes the second criteria whilst more justification needs to be made in relation to 'provides wider sustainability benefits to the community that outweigh flood risks'. As the proposal is only for one dwelling and even in that sense is for a replacement, the benefits it provides are relatively low. Notwithstanding this, the dwelling is fairly run down and the replacement would therefore better improve the site and wider area in this regard, albeit on a less scale than some schemes. It is therefore considered to also pass the exception test.

Finally, the recommendations outline that the ground floor level of the bungalow must be raised approximately 800mm above the existing ground level in the front garden to a minimum of 4.10m OD. Flood resilient construction should be included to a height of 300mm above the predicted flood level. These mitigation measures are considered to be acceptable and suitable to ensure residents face no harm following the construction of the proposed bungalow.

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.

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 proposed bungalow features three bedrooms and as such two vehicle parking spaces are required to accord to Appendix 6. The driveway to the front of the site is likely to only be of sufficient size to support one vehicle whilst the garage exceeds the measurements required to be able to be classed as one space, meaning there are at least two off street vehicle parking spaces within the site.

Lincolnshire County Council Highways have been consulted on this application and whilst they initially requested parking arrangements to be detailed, once this was resolved they stated the following in their response *'The access exists, and they have demonstrated sufficient parking for the dwelling to include a parking space in the garage which is of adequate size to accommodate a parked car. The proposal will not have an adverse impact on the public highway*. An informative has been requested and attached to the decision notice. Overall, there is not considered to be any harm to the highway following approval/construction.

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

Biodiversity Net Gain

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

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

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

For applications that are submitted prior to the introduction of this requirement, the development would exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

When taking the above into account, the development in this instance is not exempt from the statutory 10% Biodiversity Net Gain requirements. From the information provided the LPAs Senior Ecologist was able to determine that they have confidence in the conclusions drawn from the Biodiversity Assessment and Metric Calculations that a 10% mandatory net gain can be achieved on site. The predicted overall gain sits at around 18.33% in habitat units (0.0027 units). At least one universal nest brick has been requested and will be conditioned should the application be approved.

Planning Balance

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

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

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

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

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

Human Rights

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

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

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 28 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

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