SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Lead Development Management Planner (Interim) - BBC & SHDC**

To: **Planning Committee - 21 October 2026**

(Author: **Oscar Patman - Planning Officer)**

Purpose: **To consider Planning Application H14-0731-26**

Application Number:	H14-0731-26	**Date Received:**	03 August 2026
Application Type:	FULL		
Description:	Erection of a 3-bed self-build dwelling, domestic workshop & garage		
Location:	Adjacent to 4 Clay Drove Spalding		
Applicant:	Mr Smith	**Agent:**	Swann Edwards Architecture Limited
Ward:	Pinchbeck and Surfleet	**Ward Councillors:**	Cllr S A Slade Cllr J Avery Cllr E J Sneath

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H14-0731-26

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Application has been referred to Committee by Chairman's Panel.

2.0 PROPOSAL

2.1 This is a Full planning application for the erection of a three-bedroom self-build dwelling, domestic workshop and garage on the land adjacent to 4 Clay Drove. The dwelling would measure approximately 13.5m (width) by 15.2m (depth).

2.2 An unusual, stepped arrangement is proposed, where the front would have a catslide roof, set with an eaves of 3.7m, which rises to a ridge height of 8.35m. The rear would take the form of a more conventional two storey dwelling, with an eaves height of 5m (with this figure being taken from ground level, which is to be raised by 1m at this point).

2.3 The garage would be located to the east of the dwelling. It would measure 11m (width) by 7.65m (depth). It would feature a dual pitched roof with an eaves height of 2.55m, rising to 6.2m at the apex.

2.4 The workshop, located to the west of the dwelling, would have width of 6.05m (rising to 7.05m when the overhang is considered) and a depth of 14.8m. A dual pitched roof of eaves height 2.85m and ridge height 5.6m is proposed.

3.0 SITE DESCRIPTION

3.1 The site is outside of any of the settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019, and as such, can be considered to be within the open countryside. The site is approximately 1km west of Pinchbeck's settlement limits and 2.2km south of Pinchbeck West.

3.2 Despite this, the site is located within a strip of linear residential development along the north side of Clay Drove. Dwellings here are chiefly bungalows, contained within large plots.

3.3 The site is grassed, with a storage building at the far end of the plot. A bungalow is located to the west and an agricultural access to the east. To the south are fishing lakes.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

4.2 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.3 South East Lincolnshire Local Plan, March 2019

4.4 Policy 01 - Spatial Strategy
Policy 02 - Development Management
Policy 03 - Design of New Development
Policy 04 - Approach to Flood Risk
Policy 28 - The Natural Environment
Policy 30 - Pollution
Policy 33 - Delivering a More Sustainable Transport Network
Policy 36 - Vehicle and Cycle Parking
APPENDIX 6 - Parking Standards

4.5 **National Guidance**

4.6 National Planning Policy Framework (NPPF), 2026

Section 4 - Achieving sustainable development
Section 14 - Achieving well-designed places
Section 15 - Promoting sustainable transport
Section 17 - Pollution, public protection and security
Section 20 - Conserving and enhancing the historic environment

4.7 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H14-0308-25 - Prior Approval - Proposed Barn Conversion - Refused 22-05-25

5.2 H14-0132-26 - Full - Erection of 3 bed self-build dwelling, domestic workshop and garage - Refused 01-05-26

6.0 REPRESENTATIONS

6.1 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:

6.2 Welland and Deepings Internal Drainage Board

6.3 If soakaways are not used for the surface or foul water disposal, I would wish to be reconsulted.

6.4 SELCP Ecologist

6.5 Ecological Considerations:

- We have no significant concerns regarding the ecological impacts of this proposal. We recommend that the applicant remains ecologically mindful, and that all works cease if there is any risk of impacting nesting birds or protected species, with advice sought from a suitably qualified ecologist.
-We request that a total of 1 integrated universal nest brick (e.g., S Brick, Swift Nesting Brick, Manthorpe, Swift Bricks: The 'Universal' Nest Brick - by Dick Newell | CIEEM) incorporated into the external fabric of the proposed building. This should be located at a height of 4m metres plus, on the north or east elevations to avoid overheating, in accordance with best-practice guidance such as British Standard BS 42021:2022.
- We also request that one integrated bat box (e.g., Integrated / Built-In Bat Boxes, Integrated Eco Bat Box | The Nestbox Company) is added to the dwelling.
-In both cases, the authority requires the applicant to submit sufficiently detailed maps that indicate the proposed location of bird/bat boxes on-site and the bricks must be installed during the construction phase and retained thereafter for the lifetime of the development. These are required to enhance biodiversity and to be in line with Local Plan Policy 7.2.14.

6.6 BNG Comments and Notes to applicant:

-BNG exempt.

6.7 Highway and Lead Local Flood Authority

6.8 Both the existing and proposed access will need to be constructed to current Lincolnshire County Council specification. Can the site plan please be amended to add a note that this will be the case so that if forms part of the approved plans.

6.9 Environment Agency

6.10 Environment Agency position:

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

6.11 Condition:

The development shall be carried out in accordance with the submitted flood risk assessment dated February 2026, ref: ECL1435-2a, prepared by Ellingham Consulting Ltd and the following mitigation measures:
-The finished floor level of the dwelling shall be set no lower than 1.0m above existing ground level, equivalent to 2.9 metres above Ordnance Datum
-Flood resilient construction shall be incorporated to 0.6m above the finished floor level
-The dwelling shall have a minimum of 2 storeys
-Demountable defences shall be incorporated to a height of 0.6m above the finished floor level.

These mitigation measures shall be fully implemented prior to occupation and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

6.12 Historic Environment Officer

6.13 Thank you for consulting us on this application. 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.

6.14 Conservation Officer

6.15 We have no objection to this proposal on built heritage grounds.

6.16 Environmental Protection

6.17 Following review of the Screening Assessment Form and accompanying photos, dated 1st April 2026. I request a standard land contamination condition be applied at this location.

6.18 Pinchbeck Parish Council

6.19 The Parish Council supports application H14-0731-26, considering the proposed dwelling, domestic workshop and garage adjacent to 4 Clay Drove to be in keeping with the character of the surrounding area.

6.20 Public Representations

6.21 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.

7.0 CONSIDERATIONS

7.1 Evaluation

7.2 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.

7.3 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.

7.4 The national decision-making policies (NDMPs) set out in the National Planning Policy Framework (updated August 2026) (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents. In regard to development plan policies, Annex A of the Framework identifies that development plan policies (or parts of those policies) which are materially inconsistent with the NDMPs should be given very limited weight.

7.5 Whilst the council have scored at least 161% for the Housing Delivery Test over the recent period, the Authority are presently unable to demonstrate a supply of deliverable sites equivalent to 5 years through the latest Housing Land Supply Assessment

7.6 Principle of Development

7.7 *Policy Context*

7.8 *Spatial Strategy*

7.9 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.

7.10 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.

7.11 The site lies outside of any settlement boundary, as outlined in the SELLP. The definition of "settlement" is found within Annex B of the NPPF, reading as follows:

"Settlement: Includes cities, towns, villages and other predominantly built-up areas, including land which is allocated or has permission for development which will form part of the built-up area once the development is complete. This includes areas defined as a settlement in the development plan (whether using defined settlement boundaries or equivalent terms, or criteria for identifying settlement extents where boundaries have yet to be defined). Settlements do not include hamlets and scattered groups of houses located outside predominantly built-up areas, unless specifically defined as a settlement in the development plan. For the purpose of this Framework they also exclude villages which lie within and are defined as part of the Green Belt in the development plan."

7.12 The Framework is clear that settlements which are defined in a Local Plan would constitute settlements for the purposes of the NPPF. It is also clear that settlements would not include hamlets or scattered groups of houses. On this basis, it is considered that the settlement boundaries outlined in the SELLP are still wholly applicable here, and that the site should be considered as an outside of settlement location.

7.13 Policy S3(1) of the NPPF states:
"Decisions on development proposals should apply a presumption in favour of sustainable development. This means:
a. Policy S4 in this Framework should be applied when considering development proposals within settlements;
b. Outside settlements, policy S5 should be applied"

7.14 As previously outlined, the site is outside of a defined settlement limit, and therefore, Policy S5 is relevant. This states:

"Only certain forms of development should be approved outside settlements. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework".

7.15 Policy S5(1) proceeds to outline circumstances where a proposal for development outside of a settlement would be permissible. This includes S5(1e) which states that "Limited infilling within groups of houses" would be permissible outside of settlement boundaries.

7.16 *Self and Custom Build Housing*

7.17 The Self-build and Custom Housebuilding Act 2015 places a duty on all Local Planning Authorities to grant enough suitable permissions on serviced plots to meet the need set out in the self-build register, for each year, within a 3 year reporting period. Self and custom build housing is defined as housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can either be market or affordable housing.

7.18 The aforementioned Act requires that all authorities must have granted sufficient planning consents for enough serviced plots, which are suitable for self and custom build to meet the demand for the period. In this regard, demand is measured by the number of people joining the Council's Self and Custom Build Housing Register within an individual base period, taken as 31st October to 30th October, in addition to any remaining unmet demand from the previous base period. Councils have three years to meet the demands of a base period.

7.19 Whilst the SELLP does not have a policy dedicated to self-build proposals, Policies 10, 11 and

17 provide a strategy for the provision of these dwellings. Paragraph 5.3.5 of the SELLP states:

"Within the defined settlement boundaries there will be numerous opportunities for infill and larger-scale housing development that will be available to the local builder, self-builder, custom-builder and larger house-building companies. It is not practical to identify or anticipate all such opportunities; however, the positive tone of the Local Plan encourages such development provided that the material considerations of the Local Plan and particular sites can be met."

7.20 Policy 17 expands upon this briefly, outlining that the "Local Plan will also seek to meet the housing needs of custom and self-builders as they may come forward." Paragraph 5.9.4 of the reasoned justification for this policy reiterates that "opportunities for infill development within Settlement Boundaries can also meet the known interest registered by self and custom house builders".

7.21 In this regard, it is clear that proposals for self-build dwellings should be consistent with the Development Plan as a whole and appropriately located within settlement boundaries. This approach has been confirmed within Appeals APP/A2525/W/23/3319481, APP/A2525/W/24/3343297 and APP/A2525/W/25/3359058 amongst others. Within these previous appeals, it was outlined that proposals which break from the spatial strategy of the SELLP would require significant justification. No such justification or a sufficient search for alternative sites has been presented to the Council at this time.

7.22 The Council is supportive of Self and Custom Build housing, and will continue to meet the required number of granted planning approvals to comply with the Self and Custom Housebuilding Act 2015. Furthermore, the Council does consider that weight should be afforded to Self or Custom Build proposals in line with national requirements.

7.23 *Housing Land Supply*

7.24 As previously outlined, South Holland District Council are currently unable to demonstrate a 5-year housing land supply. On that basis, there is a tangible and quantified need for additional housing within the District. Whilst this is noted, the permanent presumption in favour of sustainable development outlined in Section 4 of the NPPF should also be noted within the planning balance, although the matter of a lack of 5yr housing land supply should still carry significant weight in favour of the proposal.

7.25 *Assessment*

7.26 As previously outlined, Policy S5 of the NPPF outlines that limited infilling within groups of houses should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects. It is accepted that the proposal would represent a typical infill plot.

7.27 Policy S5(2) clarifies that "In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances".

7.28 For the reasons set out to follow within this report, the proposal would conflict with multiple policies within the NPPF which explicitly advocate for the refusal of an application in specific circumstances. None of the other criteria listed within Policy S5 are met.

7.29 As outlined above, none of the criteria, beyond S5(1)(e) in Policy S5 are considered to be met. For the sake of completeness, and in light of the housing land supply position of the District, a brief assessment of point j is offered.

7.30 Point (j) outlines that development outside of settlements which would address an unmet need, including where an Authority cannot demonstrate a five-year supply of housing sites, would be acceptable in principle. However, point j is caveated, stating that the development must be "physically well-related to an existing settlement (unless the nature of the development would make this inappropriate)".

7.31 As discussed later in this report, the site is not considered to be physically well-related to an existing settlement. Moreover, as discussed below, the nature of the development would not necessitate this location, and therefore, there is no overriding reason as to why this development should be located here.

7.32 It should be noted that the NPPF does not explicitly state that self-build dwellings would be a development which inherently necessitates a countryside location. Moreover, it does not explicitly give provisions for self-build dwellings to be developed in a manner contrary to the overarching spatial strategy of the Local Plan or the NPPF itself.

7.33 Beyond the provisions of the NPPF, it is not considered that the proposal would necessitate a countryside location, seeing as it is a standard self-build dwelling and no extenuating circumstances have been outlined by the Applicant. The provisions of H23-0970-22, as referenced in the submitted Design and Access Statement, are noted. However, the context of H23-0970-22 are materially different to those here; and therefore, this point carries limited weight. Likewise, as established, the development of a self-build dwelling is not justification for a Countryside location or a break with the principles underpinning the spatial strategy of the Local Plan.

7.34 To this end, the proposal would fall to be assessed against the three sustainable development needs. Assessing the proposal against these points, the following is considered:

7.35 Economic - The development of a single residential dwelling would have some minor economic benefits arising from the construction process. However, these benefits are short term and therefore carry limited weight.

7.36 Community - the proposal would provide an additional dwelling and contribute towards the self-build housing needs of the District. These benefits would not be location specific, and would arise from any self-build housing development, and are not so substantial as to be considered an overriding public benefit.

7.37 Environmental - The construction of a dwelling would have obvious environmental impacts during the construction process. Moreover, the distance to services means that future occupants would be reliant upon private transport, thereby exacerbating the environmental harm. No biodiversity measures or planting to offset the impacts on the existing habitat are proposed.

7.38 The proposal would therefore be contrary to Policy 1 of the SELLP.

7.39 Therefore, whilst weight is given in favour of the proposal as a self-build dwelling and additional weight is given in favour of the proposal due to the absence of a five-year housing land supply, the proposal would still be contrary to Policy 1 of the SELLP and Policy S5 of the NPPF. The proposal is considered to be unacceptable in principle.

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

7.41 Section 14 of the NPPF, "Achieving well-designed places", outlines that planning decisions and policies should "promote high quality, healthy, inclusive and sustainable places".

7.42 Paragraph 1 of DP3 outlines that "development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets".

7.43 In order to create well-designed places, Paragraph 2 outlines that proposals should reflect seven key principles, as appropriate to the nature of the development and its location. These are: liveability, climate, nature, movement, built form, public space, and identity.

7.44 Paragraph 3 of DP3 is explicit that proposals which conflict with paragraph 1, the relevant

aspects of paragraph 2 of DP3, or relevant development plan policies and guidance, should be refused. Conversely, substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

7.45 South Holland do not have a local design guide for this area, 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.

7.46 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.

7.47 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.

7.48 The proposal would infill an existing space in the linear built form of Clay Drove. On that basis, an additional dwelling in this location would not result in significant intrusion into the countryside and would not appear fundamentally incongruous in the area. To the contrary, a dwelling, solely in respect of the visual appearance of a dwelling and not considering the design hereby proposed, would appear appropriate.

7.49 The dwelling proposed in this instance would comprise an overall footprint that would be marginally greater than most of the dwellings in the immediate area, resulting in the proposal appearing somewhat out of keeping with the area. That being said, much of this scale comes from the rear of property, and the visible width of the dwelling would be comparable to the neighbouring properties. On this basis, when viewed from the road, the scale of the dwelling, taken in isolation of the height of the building and the outbuildings, would not appear so unusual as to appear incongruous.

7.50 Notwithstanding this, at approximately 8.35m, the height of the proposed dwelling would be significant, and contrast with the adjacent bungalows. That being said, 1 and 2 Clay Drove are two-storey properties, showing an acceptance of this built form in the area. Moreover, the significant distance to the roadside, coupled with the unorthodox catslide, would reduce the perceived height of the dwelling. The hipping of the roof would also reduce the visual mass of the building.

7.51 The proposed outbuildings flank the dwelling and would both be visible from the road. Despite the distance between buildings, having all three buildings visible from the road would result in them being read as a whole. This in turn increases the perceived mass and volume of development, breaking from the spaciousness that characterises the area. Whilst the plot is large, there would be a degree of visual overdevelopment due to this, despite the set back of the garages reducing this somewhat.

7.52 The design of the dwelling is unorthodox. The frontage is largely typical of the nearby bungalows; however, the catslide roof does offset this typicality somewhat. This furthers a sense of uncanniness in the proposed design. Likewise, the large windows and heavy use of glass to the rear would be out of keeping with the area. That being said, this feature faces an agricultural field and would not be visible from the public realm, thereby preventing an overly detrimental impact.

7.53 No details of materials have been provided, bar the bricks that would be used. This could be conditioned in the event the application is approved.

7.54 Paragraph 53 of the NDG states:

"Well-designed new development is influenced by: an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents; the characteristics of the existing built form".

7.55 This paragraph goes on to state that this includes considering, amongst other matters,: "the height, scale, massing and relationships between building, roofscapes; the scale and proportions of buildings"

7.56 Paragraph 56 expands upon this, stating:

"Well-designed places contribute to local distinctiveness. This may include adopting typical building forms, composition, articulation, proportions, features, materials, details, patterns and colours of an area; drawing upon the architectural precedents that are prevalent in the local area, including the proportions of buildings and their openings".

7.57 Policy DP3(2g) requires proposals to "create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place".

7.58 There is no specific element that leads to the proposal being considered incongruous. Instead, it is an amalgamation of features, such as the height of the dwelling, the catslide roof, the massing of the built form etc, which contribute to a design which would appear atypical and fail to reflect the existing built form of the area. On this basis, it is considered that the proposal fails to respect the existing character and appearance of the area, and would fail to reflect the principles of the NDG. The proposal would fail to reflect the principles of DP3(1), in that it would fail to integrate or enhance its surrounding, whilst also failing to respond to the site's context.

7.59 Policy DP3(3) states: "Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally-specific policies, guides, codes or masterplans)"

7.60 Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be unacceptable. The proposal would have an adverse impact on the character of the area and would therefore be contrary to Policies 2 and 3 of the SELLP and Section 14 of the NPPF.

7.61 Impacts Upon Residential Amenity

7.62 Policy DP3 of the NPPF outlines that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a focus on promoting liveability.

7.63 Likewise, Policy P3(1) outlines that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site. This point is expanded upon in P3(2) which states all development proposals should "provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life ".

7.64 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. Policy 30 relates to pollution, including contaminated land and noise pollution.

7.65 It is proposed that the rear of the dwelling would be raised by 1m. This would result in the kitchen/dining room and the games room being higher than the neighbouring dwellings. As outlined previously, it is not abundantly clear if boundary treatments would be raised accordingly, so it cannot be said that these ground floor windows would have their views obscured.

7.66 To the east, a distance of 20m to the boundary of the property has been proposed. This would be sufficient to prevent an overly harmful overlooking or overshadowing effect. To the west, a distance of 10m to the boundary and a 19m elevation to elevation distance is proposed. This west elevation would feature a ground floor window (games room) and first floor window (bedroom 3). The east elevation of 4 Clay Drove features a large window, seemingly serving a habitable room. It is considered that there would be some level of overlooking emerging from this. However, the NMDC describes a "privacy distance" of 10-20m as acceptable in most settings. On this basis, whilst there would be an overlooking effect, it would not be so extreme as to significantly reduce residential amenity.

7.67 The proposed workshop would overshadow the garden of 4 Clay Drove. However, this would appear to chiefly fall on an access track, thereby preventing an overly harmful effect.

7.68 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 Sections 14 and 17 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

7.69 Highway Safety and Parking

7.70 Section 15 of the NPPF is titled 'Promoting sustainable transport'. Within this, Policy TR6(4) advises that "development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion."

7.71 Policy TR3 of the NPPF outlines that development should be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure. The policy outlines a series of principles to achieve these aims, with the expectation that all proposals should, so far is relevant, conform to them. Policy TR3(2) is explicit that "The Connectivity Tool should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development."

7.72 In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted, provided that the 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.

7.73 The provisions of the SELLP and NPPF are supported by the "Movement" chapter of the NDG. Paragraph 75 states "patterns of movement for people are integral to well-designed places. They include walking and cycling, access to facilities, employment and servicing, parking and the convenience of public transport". Paragraph 79 expands upon this, stating that in "a well-designed place, all modes of transport are positively designed into the built form". The points raised in these two paragraphs are echoed throughout the NDG; however, most relevant here is the provisions of Paragraph 83 which states: "in well-designed places, people should not need to rely on the car for everyday journeys, including getting to workplaces, shops, schools and other facilities, open spaces or the natural environment". To this end, development proposals should be accessible via sustainable methods of transport, and new development should not be reliant on private vehicles to be accessed.

7.74 Throughout the NDG, the idea of accessibility on foot is discussed at length, although no definition of what would be walking distance is provided. Therefore, the provisions of the Manual for Streets are used here to define suitable walking distance. Paragraph 4.4.1 defines walking distance as within 10 minutes or up to 800m.

7.75 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. Adequate parking provisions have been provided.

7.76 Whilst the comments of the Design and Access Statement are noted, the distance to the nearest settlement would exceed the limitations of the Manual for Streets and therefore cannot be considered to be reasonably walkable. Bus services to the area are limited, and are not so frequent or late running as to be considered a viable primary mode of transport. Whilst the Connectivity Tool gives the site a relatively high score of 30 (Band B in the Local Authority) this appears to be driven by the proximity to Spalding. However, the Connectivity score does not appear to take account of the constraints of the site, including the Vernatt's Drain, which would prevent walking to the town "as the crow flies". The actual walking distance to the settlement boundaries would be closer to 1.9m.

7.77 As a result of this inaccessibility via foot and public transport, there would be a clear reliance on private vehicles to access the site. This directly conflicts with the provisions of the SELLP, NPPF, NDG, Manual for Streets and Local Transport Plan outlined above.

7.78 Turning to the provisions of TR6 of the NPPF, it is considered that the proposal would not have an unacceptable impact on highway safety and the impact on the road network would not be severe.

7.79 However, irrespective of the provisions of TR6, the lack of accessibility by any methods of transport other than private car ownership would be indicative of an unsustainable development within an inappropriate location. As a result, the site would fall short of the sustainability requirements of the SELLP, NPPF and NDG; and therefore, there would be significant weight against the proposal. To this end, whilst there would not necessarily be a safety concern, there would be a conflict with Policies 2, 3, and 33 of the SELLP and Sections 14 and 15 of the NPPF.

7.80 Flooding Considerations

7.81 Section 18 of the NPPF relates to "Managing flood risk and coastal change". It requires a sequential approach to flood risk, in accordance with the decision making policies contained within this section. Policy F7 is clear that "development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere."

7.82 Policy F5(1) outlines that:

"The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Where the test applies, development proposals should not be located in areas at risk of flooding where alternative sites, appropriate for the development, are reasonably available in areas with a lower risk of flooding. The area to which the test is applied should not be greater than the anticipated catchment of the development in terms of its likely occupiers or users."

7.83 Paragraph 3 expands on this, stating that :

"The strategic flood risk assessment covering the area of the proposed development and the Flood Map for Planning should provide the evidential basis for applying the sequential test."

7.84 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.

7.85 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.

7.86 As explicitly stated within Policy F5(3), the SFRA should be used in conjunction with the Environment Agency's maps to assess the sequential test. Within the SFRA, the site is classed as danger for most, with a hazard depth of up to 2m.

7.87 As outlined previously, the NPPF is clear that a sequential test should be provided to demonstrate that the site is in the optimum location from a flood risk safety perspective. Policy F5(1) of the NPPF outlines that "the area to which the test is applied should not be greater than the anticipated catchment of the development in terms of its likely occupiers or users." Paragraph 8.3.6 of the SFRA states "The search area for the test should be the whole of the Council area unless the functional requirements of the development justify a reduced search area". Given the lack of justification for the chosen location put forward by the Applicant, it is reasonable to suggest that the catchment area, outlined in the NPPF, can be considered as the whole Council area as per the SFRA.

7.88 A comprehensive search for sites has not been provided as part of this application. The submitted Sequential Test, produced by the Applicant, solely relates to the Environment Agency classification as Flood Zone 3 and does not reference the SFRA in any capacity. The requirements of Policy F5 of the NPPF have therefore not been met.

7.89 It has not been demonstrated that there are no reasonably available alternative sites within the Countryside, or District as a whole, at a lower risk of flooding. A cursory look at the SFRA maps show that there are vast areas at a lower risk of flooding. No information has been presented as to why this proposal necessitates this location or why these alternative sites would not be suitable.

7.90 Even if a smaller search area was to be suggested, the provision of Paragraph 27a of the PPG (reference ID 7-027a-20220825) would suggest that this search for sites would still include the immediate neighbouring settlements. This would therefore include the settlements of Pinchbeck and Spalding, both of which contain allocated sites which have not yet been implemented or completed. Equally, there are windfall sites available, at a lesser risk of flooding.

7.91 Therefore, it is considered, on the basis of the information provided by the Applicant, that the site would not be sequentially preferable.

7.92 In any event, the proposal would still be considered unacceptable in flood risk terms, as follows. Policy F6 of the NPPF states:

"In areas falling within flood zones 2, 3a, or 3b (as defined in Annex F, table 1):
a. Development proposals should be refused if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3; and
b. In certain other circumstances set out in Annex F, table 3, in addition to satisfying the sequential test in policy F5 where applicable, development will only be appropriate where an 'exception test' is satisfied"

7.93 Annex F, table 2 of the NPPF defines the proposed use as more vulnerable. As such, the proposal is not considered to be incompatible with the flood risk, as outlined in Annex F; however, it is considered necessary to apply the exceptions test.

7.94 Policy F6(1)(b) states:

"The exception test involves demonstrating that the development would meet all the following criteria:
i. Provide wider sustainability benefits to the community that outweigh the flood risk;
ii. Be safe for its anticipated lifetime in accordance with policy F7; and
iii. Not increase flood risk elsewhere and, where possible, reduce flood risk overall."

7.95 Assessing the proposal against these criteria, the following is considered:

Beginning with Part i and ii, the recommended flood adaptation methods are consistent with the

provisions of the Environment Agency's standing advice. On this basis, whilst the proposed dwelling would be vulnerable to flooding, it would be considered safe for its lifetime on the basis of the Environment Agency's guidance. The proposal would not increase the risk of flooding elsewhere.

7.96 However, the proposal would not provide sufficient benefits to meet part a. As outlined previously, the benefits from a single dwelling are negligible, in light of the Council's housing land supply position, and are lessened further by the conflict with the SELLP's spatial strategy and design policies. None of the example benefits outlined in paragraph 36 of the PPG (Reference ID: 7-036-20220825) have been met. As such, the proposal would fail to provide adequate benefits and would fail the exceptions test, in the event the sequential test was passed which is not the case here.

7.97 Policy F7 of the NPPF outlines that "where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused" unless specific circumstances apply. None of the circumstances outlined in Policy F7 have been met.

7.98 Overall, the proposal is considered unacceptable from a flood risk perspective. The proposal fails the sequential test, and would be contrary to Policy 4 of the SELLP and Section 18 of the NPPF.

7.99 Biodiversity Net Gain

7.100 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.

7.101 "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".

7.102 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.

7.103 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.

7.104 As a development under 0.2ha, the proposal would be exempt from the standard net gain condition.

7.105 **Planning Balance**

7.106 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.

7.107 The proposal is located outside of any defined settlement boundaries. Whilst the proposal would represent an infill development located outside of a settlement, the benefits of approving this development would be substantially outweighed by the harm, arising largely from the

conflict with policies that explicitly call for the refusal of proposals in specific circumstances, as addressed throughout this report. The principle of development is therefore considered to be unacceptable.

7.108 In respect of considering the design of the proposal, the incorporation of a series of unusual elements would result in an incongruous and harmful form of development, despite the infill nature of the dwelling. As such, the proposal ought to be refused in light of DP3(3) of the NPPF.

7.109 The proposal has failed to provide an adequate sequential test. In any event, the location within the Countryside means that a District wide approach ought to be taken to the application of the test, and when considered, the site would be in an unacceptable location from a flood risk perspective. Even in such case that the sequential test is limited to neighbouring settlements, assessing this in respect of paragraph 027a of the PPG, this would consider Spalding and Pinchbeck, whereby alternative sites at a lower risk of flooding are available. In any event, the proposal would also fail the exceptions test, should this be required to be applied.

7.110 Whilst weight is given in favour of the development as a self build dwelling, this would be of limited weight and is not considered such that would outweigh all other concerns. Weight is also given in favour of the proposal due to the absence of a five-year housing land supply; however, the contribution to the Authority's position is limited, and would not be so substantial as to outweigh the above conflicts with the Framework.

7.111 It is therefore considered that the clear policy conflicts, when considering both the NPPF and the SELLP, in addition to the unacceptable impacts and matters raised within the report above, are such that the planning balance is not in favour of the proposal.

7.112 **Additional Considerations**

7.113 Public Sector Equality Duty

7.114 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.

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

7.116 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.

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

7.118 Human Rights

7.119 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).

7.120 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.

7.121 **Conclusion**

7.122 Taking these factors into consideration, the proposal is considered contrary to Policies 1, 2, 3, and 4 of the SELLP, as well as Sections 4, 14 and 18 of the NPPF. The planning balance is against the proposal.

8.0 RECOMMENDATIONS

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

9.0 REASONS FOR REFUSAL

1. The application site is located outside of any settlement boundary as defined within the South East Lincolnshire Local Plan and as such is considered to be within the countryside and an out of settlement location.

Policy S5 of the National Planning Policy Framework, 2026, is clear that infill development within groups of houses outside of settlements should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects. Circumstances where the adverse effects would substantially outweigh benefits include, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

It is considered that the proposal would fail to conform to policies DP3, FR5, FR6, and FR7 of the National Planning Policy Framework, 2026, which explicitly advocate for the refusal of proposals where there is conflict. Therefore, the proposal would be contrary to Policy S5 of the Framework and unacceptable in principle as a result.

In addition, Policy 1 of the South East Lincolnshire Local Plan (2019) states that development in the Countryside will only be "permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits".

The proposal has not demonstrated that it necessitates a Countryside location, nor that it would suitably meet the development needs of the area in respect of the three criteria listed in Policy 1. Furthermore, this countryside location would create an over-reliance on private vehicle use, contradicting the fundamental aims of the National Planning Policy Framework, 2026, and the Local Plan, with regards to increasing the resilience of the transport network and reducing private car dependency.

In accordance with the provisions of Policies 10, 11 and 17 of the South East Lincolnshire Local Plan, 2019, applications for self-build dwellings should still be consistent with the provisions of the Local Plan's spatial strategy. As such, the self-build nature of this proposal does not justify a departure from the provisions of Policy 1 of the Local Plan.

Given the location of the site, the proposal is at conflict with the spatial strategy outlined in Policy 1 of the South East Lincolnshire Local Plan (2019) and Policy S5 of the Framework, which underpin the delivery of housing within defined settlements and the proposal.

2. The proposed dwelling is considered to fail to respect the existing design preferences within the wider area, thereby failing to reflect the guidance within the National Design Guide and the provisions of DP3(2) of the Framework, leading to an incongruous form of development, which would fail to fully integrate itself with the existing character and design of the area.

As such, the proposed development, by virtue of its design, scale and accumulation of unusual features, is not considered to comprise an appropriate form of development. The development is considered to cause a harmful and unacceptable impact upon the character of the area, and is considered to be contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), and Section 14 of the National Planning Policy Framework (2026).

3. The site lies primarily within Flood Zone 3 of the Environment Agency's Flood Maps for Planning, within an area classified within the South East Lincolnshire Strategic Flood Risk Assessment as "danger for most". The site has an expected maximum flood hazard depth of up to 2m.

The submitted Flood Risk Assessment and supporting documents have failed to adequately demonstrate, through a comprehensive search for alternative sites in line with the provisions of the Strategic Flood Risk Assessment and National Planning Policy Framework, 2026, that the proposed development site is sequentially preferable from a flood risk perspective.

There is a lack of clear and convincing evidence that no alternative sites within an appropriate search radius at a lower flood risk are reasonably available for a development of this nature. On this basis, it is not considered that the sequential test has been passed; and therefore, the proposal is considered to be contrary to Policy 4 of the South East Lincolnshire Local Plan, 2019, as well as Section 18 of the National Planning Policy Framework, 2026.

In any event, notwithstanding that the proposal is considered to have failed the sequential test, the proposal is considered to fail the exceptions test also. The proposal is not considered to provide suitable benefits to the community which would outweigh the flood risk, in line with Policy F6 of the National Planning Policy Framework, 2026. On this basis, the proposal would fail the exceptions test, and would therefore be contrary to Policy 4 of the South East Lincolnshire Local Plan, 2019, as well as Section 18 of the National Planning Policy Framework, 2026 in this eventuality also.

As such, the proposal is considered to fail to pass the sequential and exceptions tests, and is therefore contrary to the provisions of Section 18 of the National Planning Policy Framework, 2026, as well as Policy 4 of the South East Lincolnshire Local Plan, 2019.

4. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reason(s) for the refusal, that approval has not been possible.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

5. The determined plans are:

-PP1000 - Site & Location Plans
-PP1100 - Floor Plans, Elevations & Section
-PP1101 - Garage/Workshop Floor Plans, Section, Elevations
-Design and Access Statement, produced by Swann Edwards Architecture
-Flood Risk Assessment, dated February 2026, produced by Ellingham Consulting LTD
-Biodiversity Net Gain Exemption Statement, produced by Swann Edwards Architecture

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Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post: Nick Atkinson , Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:
Email nick.atkinson@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

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MAP SCALE 1:2000
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