

DECISION DELEGATED TO HEAD OF PLANNING**DECISION DELEGATED TO HEAD OF PLANNING**

Application No: H14-0741-25 **Applicant:** Mr K Whincup

Proposal: Proposed change of use of agricultural land and lake to proposed fishery business and camping/glamping accommodation, including manager's accommodation pod, workshop/store building, welfare building, glamping pod, and grass camping pitches with associated facilities.

Location: Land North-West Of The Chestnuts Glenside South Pinchbeck

Terminal Date: 31st October 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
09	Promoting a Stronger Visitor Economy
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework December 2024**

Section 2 - Achieving sustainable development
Section 3 - Plan making
Section 4 - Decision making
Section 6 - Building a strong, competitive economy
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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0

WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	1	0	0	0
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	3	5	0	0

CASE OFFICER ASSESSMENT

Description of Proposal

This is a Full Planning Application for the creation of a fishing and tourism venture, with associated infrastructure and development. This can be summarised as:

- Creation of fishing business (including breeding of rare breeds) within existing pond
- 10x grass camping pitches
- 1x glamping pod
- 1x welfare pod
- 1x manager accommodation building
- 1x machine store

The proposal centres around a commercial fishing venture, where Crucian Carp and Tench would be stocked and bred. Within the documents submitted by the applicant, it is stated that this venture would be somewhat unique, due to the rarity of Crucian Carp within the UK.

The fishing lake would be open to those camping on the site, or for day visits. Night fishing sessions are proposed. An estimate of visitor numbers has not been precisely given, although within the Design and Access Statement, it is stated that it is expected that there would be a maximum of 12-15 cars on the site at any one time.

The fishing lake would be accompanied by ten camping pitches, designed to be used by campervans. These pitches would be located to the south-east of the site. In addition to these pitches, a glamping pod is proposed on the lakefront. This would measure 6m (depth) by 3m (width). The maximum height would be 3.1m. The pod would be a basic semi-ellipse shape, clad in dark grey material, appearing similar to tiling.

A welfare pod is proposed. This would essentially be a toilet block, with two bathrooms/showers, a washing area and a chemical waste are. The building would measure 7.45m by 3m. It would have a mono pitch roof, set between 2.4m and 3.3m. The building would feature dark grey slate roofing,

and horizontal feather edge cladding.

The managers accommodation would have a comparable design to the glamping pod. It would be located in the south-west corner of the site, alongside the machine store. The accommodation would measure 4.2m by 12m, with a maximum height of 3.5m. The dwelling would be occupied by the site owner/ manager and would comprise a permanent residence.

Finally, the proposed machine store would measure 12m by 6m. It would feature a dual pitch roof, with an eaves height of 2.3m, rising to a ridge height of 5.5m. This building would be used to store various bits of machinery, feed, tools etc needed to maintain the site.

An amendment to the site layout has been provided; however, all fundamental aspects of the proposal remain present.

Site Description

The site is located outside of any of the settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019. The site is located approximately 300m west of Pinchbeck, and directly south of the river Glen. The area is currently comprised of woodland to the east, and a pond and grassed area to the east. Whilst the area is primarily agricultural in nature, a dwelling abuts the site to the west, and a row of eight dwellings runs beyond the wood to the east.

Relevant History

H14-0654-24 - PAA - Conversion of agricultural building to 1 dwelling. Refused 25/09/24.

Consultation Responses

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

Highway and Lead Local Flood Authority

Initial Comments, dated 28/08/25

Additional information required:

"Visibility needs to be demonstrated in accordance with Manual for Streets for a 60mph road. It is stated that there are two access points to the site but the access to the east does not form part of the red outline but does appear to be under the ownership of the applicants. If this access is to be used, then this needs amending. We would like the visibility to be demonstrated for both access points. The dimensions of the access points need to be detailed on the proposed site plan. For two-way traffic to be achieved the access points need to be a minimum of 4.5m wide. A simple transport statement is required detailing the current vehicle movements in/out of the site and the vehicle movements that will be created with the proposal. This shall include the different types/sizes of vehicles accessing the site daily. Pedestrian connectivity - it is stated that occupants can walk through the woodland to the access to the east connecting with the footway on Glenside South - there is no footway on Glenside South and no space to provide one. The woodland does not form part of the application. I welcome the applicants' comments on this. The parking needs to be demonstrated on the proposed site plan along with a turning area for the waste vehicle that would enter the site. Swept path details are required for the waste vehicle. The Environment Agency need to be consulted. The development increases the impermeable area and therefore has the potential to increase flood risk elsewhere. Suitable mitigation measures are required to ensure that surface water flood risk is not created or increased to land adjacent to the site"

Revised comments, dated 22/10/25

"Recommendation for refusal:

In line with the NPPF, safe and suitable access is to be provided for all. The visibility demonstrated does not accord to Manual for Streets for a 60mph road. Glenside South (B1180) carries a lot of traffic with a high proportion being HGV's. This route is often used to get to the A151 and Bourne. Vehicles travel along the road at speed, and it is likely that the users of the site will walk along Glenside South to access the facilities that are in walking distance. There is no footway connecting the site to the Public House which is approximately 400m away.

The footway network commences at this point leading pedestrians into the village. Pedestrians walking along Glenside South from the site would be in conflict with motor vehicles as there is limited space in which they can seek refuge away from the carriageway and there is no space for a footway to be provided. With the likelihood of increased footfall to/from the site it will result in pedestrians attempting potentially hazardous journeys along Glenside South which would compromise highway safety.

An objection has been raised by the Highways and Lead Local Flood Authority but if the Local Planning Authority are still minded to recommend approval, LCC would be grateful for notification via developmentManagement@lincolnshire.gov.uk as to why material considerations outweigh the Highway and Lead Local Flood Authority objections, and be given an opportunity to make further representations."

Natural England

No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Environmental Protection

No observations - No comments regarding land contamination or environmental protection.

Welland and Deepings Internal Drainage Board

"Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make with regard to this application at this stage."

Environment Agency

Initial comments, dated 19/09/25

"Environment Agency position

In accordance with Policy 4 of the South East Lincolnshire Local Plan 2011-2036, we object to this application, due to an unacceptable risk of flooding to people.

Reasons:

The application site lies within Flood Zone 3, which is land defined by the planning practice guidance as having a high probability of flooding.

The application involves the permanent residential occupation of a glamping pod for use by a site manager. Annex 3 of the National Planning Policy Framework (NPPF) classifies development types according to their vulnerability to flood risk and Table 2 of the planning practice guidance (Flood Risk and Coastal Change) outlines which vulnerability classifications are incompatible with certain Flood Zones. The proposed managers living pod is classed as 'highly vulnerable' in accordance with Annex 3 of the NPPF. Table 2 of the PPG makes it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted.

In addition, the application proposes 10 camping pitches and a glamping pod. The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) shows that the site is partially impacted by the 'Danger for Most' (includes the general public) future hazard extent and could experience flood depths of up to 0.5m arising from a breach in the defences during a flood that has a 0.1% chance of occurring in any one year up to 2115. Policy 4 of the Local Plan is clear that caravan, chalet, log cabin, camping and touring sites at risk of fluvial flooding where there is a 'danger for most' should not be permitted."

Revised comments, dated 22/10/25

"The amended Proposed Site Plan ref: 'DWG 6911/02G' and the submitted Flood Hazard Drawing ref: 'DWG 6911/05A' shows the proposed camping pitches are now situated outside of the 'Danger to Most' hazard extent.

Whilst we note that the proposed 'managers pod'/park home is contrary to Paragraph 079 of the PPG, we consider that in this instance a 'managers pod' with a robust flood warning and evacuation plan in place could lead to better management in a flood event for the camping/glamping site.

The amended flood risk assessment dated October 2025, ref: 'ECL1322-3', prepared by Ellingham Consulting Ltd refers to the raising of finished floor levels (FFLs) of the managers accommodation and glamping pod in section 3.3, but later refers to a dwelling. We understand that it is proposed to raise the FFLs of the managers accommodation and glamping pod to 0.5m above the existing ground level.

A flood warning and evacuation plan does not appear to have been submitted as part of this application or proposed as a flood risk mitigation measure in the submitted FRA. Paragraph 043 of the PPG states 'Emergency plans will be essential for sites at risk of flooding used for holiday or short-let caravans and camping'. We therefore consider that flood emergency procedures are fundamental to managing the risk of flooding at this site.

Following review of the amended documents, we do not wish to pursue our previous objection in this instance."

Public Representations

Comments on initial scheme

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, eight letters of representation have been received, albeit two are from the same person. This can be divided into four letters of support, and four of objection (with one objector commenting twice to provide further clarity).

The letters of support can be summarised as:

- Unique fishing opportunity
- Improved the appearance and biodiversity of the area
- Supports local business.

The letters of objection can be summarised as:

- Lack of information
- Traffic and safety concerns
- Impact on privacy
- Light pollution and disturbance
- Insufficient parking
- Noise disturbance
- Biodiversity information provided is inaccurate, including destruction of habitat prior to application
- Excessive level of development
- Lack of footpath
- Welfare of fish from small size of pond.

Revised comments following amendments

Following the receipt of amended plans on 7th October, four additional letters of objection (with one objector commenting twice to provide further clarity) were received. All objectors to the amendment also objected to the initial proposal. Their comments are summarised below:

- Unsuitable road for additional traffic
- Noise disturbance
- Flood risk
- Lack of pedestrian access
- Access is unsuitable
- Harm to wildlife generated by application and before application made
- Inaccuracies in application
- Potential for future expansion
- Visual impact of development

Key Planning Considerations

Evaluation

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

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

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

Principle of Development

The proposal can be summarised to comprise two inter-related parts, the creation of a tourism use and the creation of a dwelling. The two are related to one another, as outlined in the submitted documents; however, for the sake of the legibility of this report, the two have been broken into separate sections.

Tourism Use - Policy Context - Spatial Strategy

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is outside of any defined settlement boundaries outlined in the SELLP, and can therefore be considered to be within the Countryside for the purposes of Policy 1. In this context, Policy 1 states:

"In the Countryside development will 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."

Paragraph 3.2.15 of the Reasoned Justification associated with Policy 1 expands upon this stating:

"Agriculture and forestry are clearly uses which must function in the Countryside but other uses which may diversify from agriculture and forestry, e.g. recreation and tourism, can meet the broad sustainable objectives of the Local Plan. Similarly, other assets such as waterways and access to the coastal areas may offer opportunities to expand the opportunities the area can offer visitors (See Policy 9: Promoting a Stronger Visitor Economy)".

Where a proposal would involve a tourism use, Policy 1 is supported by Policy 9 to determine whether a proposal is necessary and appropriate in a setting. Within the context of this site, Policy 9 states;

"Outside these settlements, small-scale development to support the visitor economy, including farm diversification, equine development and fishing lakes, will be supported provided that proposals:

1. do not conflict with neighbouring land uses;
2. are in keeping with the character of the locality; and
3. demonstrate a functional link with an existing rural attraction or farm enterprise."

The provisions of Policy 9 are also expanded upon within the Reasoned Justification, with Paragraph 4.4.3 stating:

"However, some small-scale tourist facilities such as fishing lakes, equine development and caravan sites, small scale offices or other small scale rural development, may be more appropriately located outside a settlement boundary provided that there is a clear link to an established rural enterprise and the quality of the design ensures no adverse impacts upon landscape, heritage or biodiversity".

It should be noted that the proposal does refer to the sale of fish and their breeding. This would not necessarily fall within a tourism use, and would instead more likely fall within a separate use. However, the submitted documents are clear that this would be in "Phase 2" of the development and so would not occur until the other uses have been well established. On this basis, this point can be somewhat discounted at this time, although may need to be readdressed through further applications in the future, should this proposal be approved.

Tourism Use - Policy Context - The Rural Economy

Section 6 of the NPPF outlines the role of the planning regime in respect to supporting economic growth. Paragraph 85 of this section outlines the aims broadly, stating:

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development".

Paragraphs 88 and 89 of Section 6 specifically relate to the rural economy. They read as follows:

Paragraph 88: "Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

Paragraph 89: "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist"

It should be noted that both Paragraphs were within the 2018 version of the Framework (then Paragraphs 83 and 84) and have been unchanged in the interim. As such, as the SELLP was written at the time of the 2018 Framework, there has not been a change of circumstances in this regard between the publication of the SELLP and the NPPF 2024 which would result in the SELLP and NPPF conflicting and the SELLP should have been written with these paragraphs in mind.

Tourism Use - Analysis

As outlined above, proposals for tourism ventures should conform to Policies 1 and 9 in order to be considered acceptable. The requirements of Policy 9, as reaffirmed through Paragraph 4.4.3, are that proposals relating to the visitor economy should not conflict with neighbouring land uses, be in keeping with the character of the area and should demonstrate a functional link with an existing rural attraction or farm enterprise. Assessing the proposal against these points, the following is considered:

1. The proposal would conflict with neighbouring land uses to a certain extent, through noise and generalised disturbance. While the noise management plan submitted has outlined that steps would be taken to minimise noise disturbance, it is considered that the proposed management would not be robust enough as to fully prevent noise disturbance. Moreover, the increase in movements to and from the site would have some level of impact on the residential dwellings in the area. Given

that the site has traditionally been used in association with agriculture, and that low density of the area has produced a clear peaceful and quiet character, the impact of this would be more acutely felt. As such, the proposal is considered to conflict with the neighbouring land uses to a certain extent. That being said, only one dwelling would be detrimentally impacted to a noticeable degree. On balance, this effect would not be significantly detrimental to the wider area, to such a degree as to be a fundamental conflict with the neighbouring uses.

2. The use would be out of keeping with the character to the extent that the existing uses in the area are agricultural and residential. That being said, a tourist use such as this is not atypical in rural settings such as this. As such, the proposal would be broadly in keeping with the character of the area, as the use would still respect the existing rural nature of the area.

3. The proposal demonstrates no use with an existing rural attraction or farm enterprise. Paragraph 4.4.3 is clear that only developments which display a clear link to an established rural enterprise would be permissible in these circumstances. As such, the proposal would be contrary to criterion 3.

The submitted design and access statement, within page 16, outlines that while the proposal would not necessarily be in accordance with the exact wording of the policy, it would be in accordance with the aims of the policy (in that the proposal is a fishing venture which would be helped by proven cashflow such as would be expected from a functional link from another business). Whilst this point is acknowledged, it is considered that the aims of the policy would still not be met. The justification behind criterion 3 of Policy 9 is not just to ensure viability of a proposal, but to prevent encroachment of development within the countryside. The proposal would fail to do this, and would represent an increase of development in the countryside.

As outlined above, Section 6 of the NPPF places significant weight in favour of proposals which would support economic growth. Paragraph 88 is clear that sustainable rural tourism ventures should be enabled, and Paragraph 89 clarifies that within rural areas, flexibility in location should be appropriately given. In light of these, weight is given in favour of the proposal.

However, Paragraph 88 is explicit that "sustainable rural tourism" ventures should be enabled. The judgement of what may be considered sustainable can be, in part, determined by adherence to the spatial strategy of the Local Plan (i.e., Policies 1 and 9). As outlined above, the proposal conflicts with Policy 9 of the SELLP, and would therefore not constitute an appropriate or sustainable rural tourism business. As such, the weight given in favour of the proposal by Paragraph 88 is tempered.

Moreover, Paragraph 89 of the NPPF the proposal would fail to meet the caveat of exploiting opportunities to make a location more sustainable, as no new infrastructure connecting the site to the settlement is proposed. Whilst access issues are discussed in greater detail later in this report, no footpath is present on this section of Glenside South, reducing the viability of sustainable means of transport. On this basis, the weight given in favour of the proposal by Paragraph 89 is augmented accordingly.

Weight is given in favour of the proposal under Section 6 of the NPPF, albeit said weight is tempered due to a lack of complete adherence to the relevant paragraphs. Nevertheless, the proposal is considered to be contrary to Policies 1 and 9 of the SELLP. On this basis, the principle of the tourism development is considered to be unacceptable.

Residential Use - Policy Context

As outlined above, Policy 1 states that "In the Countryside development will 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".

Taken in isolation, regardless of the exact nuances of this proposal, a single dwellinghouse within the countryside would not be considered acceptable. The dwelling would not necessitate this location, and would fail to provide an adequate contribution to the sustainable benefits of the area to overcome this. That being said, the proposal has been put forward under the guise of a rural workers dwelling, in an attempt to demonstrate that the development necessitates this location.

A judgement as to whether the proposal would be necessary to such a location would be taken on the basis of the specifics of the business case and other relevant guidance such as the Planning Practice Guidance (PPG). Paragraph 10 of the "Housing needs of different groups" section of the PPG (ref 67-010-20190722) provides a framework of consideration in assessing the need for

isolated homes in the countryside for essential rural workers. It should be noted that this Paragraph of the PPG references Paragraph 79a of a previous iteration of the NPPF; the provisions referred to can now be found in Paragraph 84a. For reference, Paragraph 84a has been copied below:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;"

It should be noted that Paragraph 84 refers to "isolated homes in the countryside". Isolated is generally taken to mean physically isolated, as in divorced from settlements and existing development. The site in this instance is not considered to be isolated, due to the proximity to existing linear residential development in the area. In any event, the principles of the PPG are still applicable, as they provide a useful grounding in assessing need for rural workers.

Residential Use - Analysis - Need for Dwelling

Within the submitted Business Appraisal document, an argument has been put forward that there is a need for a worker to be on-site at all times. The argument has been put forward on a number of grounds, including: human safety (as the site is in operation 24/7 and the nature of the business raises duty of care implications), supervision of the site, animal welfare, and crime and security. All points raised in this document (and others) are noted, and appear to broadly align with the points raised in the first bullet point of Paragraph 10 of the PPG. However, within this document, no justification has been put forward as to why this need for 24/7 onsite presence necessitates a dwelling, as opposed to an alternative arrangement such as hiring additional staff. No exploration of the lack viability of an alternative arrangement has been presented here, and so it cannot be said that there is an absolute need for a dwelling to be on the site which cannot be met through additional staffing.

Moreover, Paragraph 10 of the PPG states that an assessment of the confidence that the enterprise would remain viable for the foreseeable future may be relevant when considering applications for dwellings in these circumstances. Several documents outlining the business proposal and potential cash flows have been submitted. Paragraph 4.39 of the Business Appraisal outlines that funding would come from personal sources to ensure cash flow for the first two years of the business. On the basis of the documents submitted, it is clear that the proposal could sustain itself for the first few years of operation; however, the longevity of the business is not abundantly clear. The planning system should make decisions that are sustainable in the long term, rather than purely focussing on short term gains. As the business has not demonstrated long-term viability, through the demonstration of tangible demand for the service and an established customer base to pull from etc, the Authority cannot be confident that the proposed business would not fail in the medium to long term.

Expanding upon this, under the provisions of South Holland's Agricultural Worker's Dwellings and Occupancy Conditions Policy Guidance Note (2006), which it should be noted that whilst not wholly applicable as the document relates to agricultural workers rather than rural workers more generally can still be used as an example of the considerations for rural workers dwellings, requires an activity to be established for at least three years and to be profitable for at least one of those years to demonstrate the viability of the business. A similar approach can be adopted here, in that the business should demonstrate an established economic base to operate from and a sustainable cash flow to ensure its long-term viability. Start up costs are coming from a finite source (personal finances) which will run out without suitable income. This income cannot be demonstrated, and so the long-term viability of the business has not been sufficiently evidenced.

On the basis of this, it is considered that there is insufficient evidence to demonstrate need for a dwelling on this site, or that the business is sufficiently viable as to support the dwelling. As such, the principle of a residential unit on the site is considered unacceptable.

Summary

The proposed tourism venture fails to relate to an existing rural or agricultural enterprise. On this basis, whilst the relevant weight is given in favour of the proposal due to its economic benefits, the principle of a fishing and camping business on the site is considered unacceptable. Moreover, it has not been adequately demonstrated that the proposed use necessitates a dwelling or that the business is viable to support the dwelling in the long-term.

As such, the proposal is considered contrary to Policies 1 and 9 of the SELLP and the principle of development is unacceptable.

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

Section 12 of the NPPF, "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Proposed here is a large level of screening around the site, in addition to the substantial level of screening already in place. On this basis, the actual visual impact of development from the public realm would be minimal. On this basis, the actual visual impact of the development is considered acceptable. Secondary development, outside of the red line such as advertisements and signage, would be subject to a separate application and would carry only minimal weight here.

The buildings themselves are suitable in a rural setting, are fairly typical of proposals of this nature. They are all relatively small, reducing their visibility and mitigating impacts. The openness of the area is maintained. Development is not overly dense, and so would not necessarily clash with the rural setting.

Fishing and camping ventures are not uncommon in rural settings. The nature use respects the existing rural nature of the area, from a character perspective, and would therefore not be fundamentally out of character. However, the increased intensity would conflict to a certain extent with the established rural tranquillity of the area, in that any development would be an agent of change in this regard. This change is not considered overly harmful from a character perspective, given the relatively small scale of the business.

The submitted Noise Management Plan, states that no more than three people would fish the lake at any one time. Given there are ten camping pitches, and there is the desire to sell day passes, the functionality of the business itself is somewhat questionable. It is not unreasonable to assume that each pitch may have more than one fisherperson, and so there may be significant waits for the fishing lake which is arguably the main draw of the site. This raises questions as to whether the proposal would properly function, and whether the scale of use is commensurate to the scale of site.

Notwithstanding the above, regardless of the maximum capacity of users of the lake at any one time, the proposal would not have a significantly harmful impact upon the character and appearance of the area for the reasons identified above.

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. The proposal is therefore considered to accord to Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions. Policy 30 concerns pollution of all varieties, including noise, odour and light disturbances.

The proposal would not increase overlooking or overshadowing directly.

The increase in footfall on the site would lead to an increase in noise and generalised disturbance. This would be particularly impactful in the early mornings and evenings, where vehicular movements would be more acutely felt and have a greater opportunity to impact neighbours (e.g., through headlights). The 24 hour nature of the proposal would mean that this disturbance could occur for a larger period of the day. That being said, only a limited number of dwellings would be effected, and a comparable impact could occur if the site was returned to its agricultural use through the movement of large vehicles. To this end, the weight attributed to this point is somewhat reduced.

A supporting statement as to how noise will be mitigated has been submitted (which includes restricted hours of entry and exit and limitations on visitor numbers); however, the robustness and enforceability of these rules (from a planning perspective) are questionable. To this end, the weight attributed to this document is minimal. That being said, as established above, the potential amenity impacts are not considered to be overly severe, and so to a certain extent, this is a moot point.

On balance, the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards. No exact figures have been given for a tourism venture of this nature, and so need should be assessed on a case by case basis. It is stated that a maximum of 12-15 cars or camper vans are expected on the site at any one time. However, no area for parking beyond the pitches has been provided, and so it is not abundantly clear as to where those seeking to pitch a tent would park. As such, it cannot be said that sufficient parking has been demonstrated.

No footpath is available on this section of Glenside South. The road is fast moving, and the grass verge drops into the river on one side, and is inhibited by overgrowth and residential dwellings on the other for the majority of its length. Walking in these conditions should not be encouraged for safety purposes. An alternative may be for users to walk through the woods, reducing their time on

the road; however, this would be beyond the scope of this application and may be tantamount to a change of use of the woods.

The site is approximately 300m west of Pinchbeck. Whilst this distance is reasonably walkable, it would act as an impediment and may put users off. In any event, this distance is the distance to the edge of the settlement, which is relatively sparsely populated. It can be assumed that users would be derived from a wider locational pool than this outer settlement location. Pinchbeck is a relatively long and narrow settlement, meaning that the centre of the settlement itself would be over 1km from the site. Access to public transport would be limited. Whilst it is acknowledged that the nature of the site requires some leeway, campers are likely to drive due to the equipment associated, the site should still have reasonable access to services to reduce the need for a vehicle once camped at the site. The services of Pinchbeck would not necessarily be accessible as such, and a reliance on private vehicles would occur as a result.

As outlined previously, the site is not reasonably accessible via foot or public transport. An over-reliance on private vehicles would be created, particularly when compared to more sustainable urban locations. On this basis, the proposed location is broadly inconsistent with Policy 2, 3 and 33 of the SELLP and Section 9 of the NPPF in that sustainable methods of transport would not be encouraged.

The provisions of Paragraph 116 of the NPPF are clear 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." The Highway Authority have objected to the proposal on the grounds that visibility demonstrated does not meet the requirements of the Manual for Streets for a 60mph road and that pedestrian access is unsuitable due to a lack of footpath. It has been stated by the Highway Authority that "the likelihood of increased footfall to/from the site it will result in pedestrians attempting potentially hazardous journeys along Glenside South which would compromise highway safety".

The proposal would be broadly contrary to the sustainability objectives of Policies 2, 3, and 33 of the SELLP and Section 9 of the NPPF with respect to transport due to a lack of sustainable transport opportunities. Likewise, inadequate parking has been demonstrated in accordance with Policy 36 of the SELLP. The Highway Authority has objected to the proposal on the grounds that the proposal would compromise highway safety. On this basis, the proposal is contrary to Section 9 of the NPPF and should be refused on highway safety grounds.

Flooding Considerations

Section 14 of the NPPF requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: (...) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 174 of the NPPF states "the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding". The strategic flood risk assessment provides the basis for applying this test.

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

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate. The process for applying the Exception Test is outlined within Paragraphs 177, 178 and 179 of the NPPF. Paragraph 178 states "to pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be

safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall"

The site lies within Flood Zone 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the SELLP is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the SFRA as a basis to apply the sequential test.

Within the SFRA the site is classed as low hazard and danger for most, with a hazard depth of 0.5m.

The proposed tourism use is built around an existing geographical feature (i.e., the pond and wood). As these features are the entire basis of this application, it would be unreasonable to locate the proposed tourism use elsewhere.

However, as explored above, the dwelling is considered to be unnecessary to the proper function of the proposed business use. Therefore, the two could be reasonably decoupled, and assessed as two separate entities for the purposes of the sequential test. On this basis, whilst the business use may pass the sequential test, the proposed dwelling would have to be assessed separately.

The approach to the sequential test outlined in the SFRA is to take a settlement specific survey, whereby relevant sites within the settlement where an application is made are evaluated to assess sequential preference. As the site is located within the countryside, the breadth of this sequential test should, by extension, be expanded to include all countryside or reasonably available locations within South Holland. To this end, a district wide search should be provided to demonstrate if the site passes the sequential test. This has not been provided. Seeing as there is land within South Holland within Flood Zones 1 and 2, and/ or outside of a hazard zone identified in the SFRA, it is not judged that the site is sequentially preferable.

In any event, turning to the application of the exception test (set out in NPPF Para. 178), this should be informed by a strategic or site- specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that: "Some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts".

"a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."

It is proposed that the manager accommodation and lakeside pod would be raised by 500mm, so that they are above flood depths. This would ensure that the buildings would not be inundated in a flood event. That being said, such provisions cannot be provided for the camping pitches. An evacuation plan has not been provided to ensure the site can be safely cleared in a flood event. To this end, any campers would be at an undue risk of the impacts of flooding. Safe havens could be established within the manager accommodation and lakeside pod, but given the scale of these spaces, their long term viability as a refuge is questionable. A flood evacuation plan could be requested via condition, in the event this application were approved; however, considering the severity and fundamental nature of the issue, it would be inappropriate to place this as entirely post-decision matter. On this basis, the proposal cannot be considered to be safe for its lifetime.

Turning to part a, the proposal would enable the creation of a SME in the area, with some economic benefits. Some nearby businesses may also see a small contribution. Likewise, the education use proposed would provide some benefits also. However, given that the flood risk on the site cannot be properly mitigated against, and therefore, substantial harm may occur as a result, the proposed benefits cannot be said to outweigh flood risk.

The proposal therefore fails the exceptions test.

Policy 4 of the SELLP states:

"Caravan, chalet, log cabin, camping and touring sites at risk of fluvial flooding where there is a 'danger for most' and 'danger for all' will not be permitted".

A drawing with expected flood hazard based upon the SFRA overlaid has been provided. However, upon further scrutiny it is not abundantly clear that the maps align. Moreover, the hazard map used would appear to be based upon a 1 in 100 year event, whilst for single storey accommodation the recommendation of the SFRA is to use a 1 in 1000 year event. The SFRA does not contain a map for this site relating to a 1 in 1000 year event; however, it can be assumed that the hazard would be worse and therefore the actual flood risk of the site would remain high.

Overall, when considering the development on balance, it is considered, that the proposal conflicts with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk as the exceptions test is failed.

Biodiversity & Ecology

Section 15 of the NPPF seeks to protect sites of biodiversity value, and minimise and provide net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures, including the need to incorporate features which support priority or threatened species such as swifts, bats and hedgehogs.

Paragraph 193 of the NPPF details that Local Planning Authorities should apply the following principles:

"a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate".

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.

The submitted biodiversity gain report shows a net gain of 21% in habitat units and 88% in hedgerow units. The proposal therefore can be seen as being capable of achieving the net gain required under the Town and County Planning Act, 1990. Moreover, said gain would be significant enough as to carry weight in favour of the development.

The breeding of rare fish species and the role that the proposal would play in the National Crucian Conservation Project are commendable, and carry weight in favour of the proposal. There would be a clear ecological gain from the proposal.

The adjacent woodland is classified as "priority deciduous habitat"; however, the red line of this site ignores all areas within this classification. The secondary impacts of the proposal (e.g., noise scaring away fauna) are not considered to be substantial; particularly given the potential impacts that could occur through the existing agricultural use of the site.

Community Benefits

Policy 32 of the SELLP, "Community, Health and Well-being" states that "development shall contribute to: the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being". As part of this, Policy 32 requires developments to create environments which:

- "i. discourage crime and disorder, and do not create the fear of crime;
- ii. encourage healthy eating and local food growing;
- iii. are accessible to all sections of the community;
- iv. facilitate walking, cycling and public transport use; and
- v. encourage community use."

Policy 32 goes on to outline criteria for when a new community facility would be considered acceptable amongst other matters.

As part of this application, it is proposed that sessions with local pupils would be taken at the site, to assist and inform on topics on conservation and fishing amongst other matters. This proposed use is not considered to represent a community facility for the purposes of Policy 32, in that the community use is not the primary purpose of the site. Declaring it as a community facility would fail to represent the primary aims and nature of the proposed use, and would be an exaggeration of this element of the proposal.

However, it is abundantly clear that this proposed use would have a community benefit. The proposal would be an asset to the groups which would benefit from the tutoring. The exact level of this benefit is unclear, as details on class sizes, number of sessions etc have not been given. Irrespective of the fine details, there would be some weight in favour of the proposal due to this aspect of it, in line with the overall aims of Policy 32.

On this basis, some weight is given in favour of the proposal.

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 would offer some level of social, economic and environmental benefits. However, the proposal is considered to be located in an unsustainable location, which would be contrary to the spatial strategy of the SELLP. The proposed tourism use would not relate to an existing agricultural or rural enterprise, and would therefore represent inappropriate development in the open countryside. Likewise, inadequate justification has been put forward as to why the proposal necessitates an associated dwelling, and on the balance of the information provided, it is considered that this is superfluous. There are concerns as well regarding the functionality of the proposal and whether it could viably operate from a site with the constraints present here. Suitable parking provisions have not been provided and accessibility via sustainable methods of transport is poor. The Highway Authority have objected on the grounds of highway safety.

The proposal is considered to fail the exceptions test, due to the potential risk associated with the camping pitches. Inadequate mitigation, such as the provision of a suitable safe haven or a flood risk evacuation plan, has been proposed. On balance, it is considered that this harm is not outweighed by the benefits of the proposal.

Additional Considerations

Public Sector Equality Duty

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

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

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

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

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

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

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

Human Rights

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

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

Conclusion

Taking these factors into consideration, the proposal is considered to conflict with Policies 1, 2, 3, 4, 9, 33 and 36 of the SELLP, as well as Sections 9, 12 and 14 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

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