

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-0879-25 **Applicant:** S E King Building Contractors Ltd

Proposal: Erection of 8 dwellings

Location: Land Adjacent 39 Custom House Street Sutton Bridge Spalding

Terminal Date: 13th February 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy

02 Development Management

03 Design of New Development

04 Approach to Flood Risk

28 The Natural Environment

30 Pollution

APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development

Section 4 - Decision-Making

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

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	0	0	0	1

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	2
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	2
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is an outline application with access only sought for approval, all other matters are reserved for subsequent consideration.

The proposal is for the *Erection of 8 dwellings*.

The applicant has shown on the site plan that the access point is to be located in the south eastern corner of the site, at the end of the turning head on Custom House Street. To assist the LPA in assessing the 'outline matters' the applicant has provided:

- Ecological Impact Assessment Report
- Flood Risk Assessment
- Site Plan - Existing & Proposed, Location Plan
- Indicative Scheme
- BNG Assessment (including Pre development plan and calculation)

Site Description

The application site is located within the Settlement boundary of Sutton Bridge and is proposed on land that was formally allotments. The application site is located south of an established employment zone (SB001), it is located outside the identified town centre boundary of Sutton Bridge.

There is an existing access to the site from Custom House Street, close to the turning head at the end. The street is made up of a broad housing mix including terraces, semi-detached and detached dwellings.

History

Non-relevant site history.

Consultation Responses

South Holland IDB

Surface Water - The applicant has indicated that they intend to dispose of surface water via

infiltration; however, I cannot see that the viability of this proposal has been evidenced. We recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration.

Treated Foul Water - I note that the applicant intends to dispose of foul water to a main sewer. Should the applicants proposals change to include the discharge of treated foul water to a watercourse, consent would be required

Land Drainage Act 1991 - I am not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary, however this should be confirmed by the applicant. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

Byelaw 10 - There are no Board maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply.

Environment Agency

We have reviewed the flood risk assessment addendum dated 11 November 2025 ref 'ECL1582-2', prepared by Tim Ellingham and consider that it satisfactorily addresses our earlier concerns. Subject to the condition below, we therefore withdraw our previous objection, dated 22 October 2025.

Highways & SUDs

No objection - The proposal is for the erection of 8 dwellings - outline with access to be considered. The site will be accessed from Custom House Street cul-de-sac which is an established residential area. Access from this point for the proposed 8 dwellings would be acceptable - this will be a private drive and will not be adopted in the future. A footway connection is required from the site access to the existing on Custom House Street to ensure pedestrian connectivity is maintained. When a reserved matters application is being prepared consideration should be given to refuse collection points as a refuse vehicle will not enter a private drive. The width of the access with the public highway shall be a minimum of 4.5m wide for the first 10m and thereafter it shall be 3.7m. The proposal will not have an adverse effect on the public highway.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Ecology

We are confident this site can achieve 10% mandatory net gain even with the amendments request pre-commencement, however we strongly suggest that the applicants amend the proposals/BNG metric as early in the planning process as possible to minimize uncertainty, avoid delays, and avoid any risk of the applicants failing to satisfactorily discharge the biodiversity gain condition pre-commencement. We require a PEA to be submitted pre-determination. Once this has been provided we will review it and provide our comments back.

Health and Safety Executive

Dear Mark, Thank you for your email seeking HSE's observations on application H18-0879-25: erection of 8 dwelling on land adjacent to 39 Custom House Street.

HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to the HSE Planning Advice Web App - <https://pa.hsl.gov.uk/> - for them to use to consult HSE and obtain HSE's advice.

I would be grateful if you would ensure that the HSE Planning Advice Web App is used to consult HSE on this application and any future developments including any which meet the following criteria, and which lie within the consultation distance (CD) of a major hazard site or major hazard

pipeline.

Historic Places Team

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

Environmental Protection

I request a standard land contamination condition be applied at this location.

Representations

This application has been advertised in accordance with the Development Management Procedure Order 2015 (as amended). Two objections have been received from the same address. In summary they are concerned with the impact upon privacy and residential amenity, noise impacts, and flooding impacts.

Officer comments

The objections are material and are picked up within the assessment section of this report.

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.

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

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

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

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

The following topics are key to the assessment:

- Principle of Development
- Flood Risk and drainage
- Highways/Access
- Ecology
- Environmental Issues
- Character
- Planning Balance

Principle of Development

The South East Lincolnshire Local Plan sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy

local housing need, whilst making more sustainable use of land and to minimise the loss of high quality agricultural land by developing in sustainable locations and at appropriate densities.

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

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

The application site is located within a main service centre of Sutton Bridge as identified by Policies Map inset 9 of the SELLP. Of these areas policy 1 (point 2) states:

Within the settlement boundaries of the Main Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

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

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

The proposal is for the erection of 8 dwellings within the settlement limits of Sutton Bridge. In context of this, the principle of residential development within this location is considered to be appropriate, comprising an appropriate form of development for the location and would be in accordance with the overall principles of the spatial strategy.

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

Flood Risk & Drainage

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

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

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

of the National Planning Policy Framework (December 2024).

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

Policy 4 of the South East Lincolnshire Local Plan sets out the Council's approach to managing flood risk. The application site lies within Flood Zone 3, as defined by the Environment Agency's Flood Map for Planning. It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The Council's Strategic Flood Risk Assessment (SFRA) further identifies the site as being within an area classified as 'danger for all'.

The Environment Agency has been formally consulted on the proposal and has subsequently withdrawn its earlier objection following submission of an updated Flood Risk Assessment. The EA raises no objection, subject to the imposition of the following condition:

The development shall be carried out in accordance with the submitted flood risk assessment dated July 2025, ref: 'ECL1582/G R MERCHANT', prepared by Ellingham Consulting Ltd and the following mitigation measures it details:

- The dwellings shall be a minimum of two storeys
- The finished floor levels shall be set no lower than 1.0 metre above the existing ground level
- Demountable defences shall be included to 0.6m above the finished floor levels
- Flood resilient construction shall be included to 0.3m above the predicted flood 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.

Sequential Test

With regard to the sequential test, and more specifically how the area of search for the sequential test should be identified, paragraph 027a of the PPG is clear that a proportionate approach should be taken, stating that "The sequential test should be applied proportionately, focusing on realistic alternatives in areas of lower flood risk that could meet the same development need".

This also states that "For individual planning applications subject to the sequential test, the area to which the test needs to be applied will be governed by local circumstances relating to the catchment area for the type of development proposed and the needs it is proposing to address. The catchment area should always be appropriate to the nature and scale of the proposal and the settlement it is proposed for"

Within the Flood Risk Assessment, the applicant has undertaken a Sequential Test, stating that: "Large parts of the South Holland district that are near the River Nene lie within Flood Zone 3. As such, the opportunities to undertake the development at an alternative site with a lower flood risk are limited. At this location, it is not possible to position the development on higher ground within the proposed site.

The River Nene has defences that provide protection during the 0.5% annual probability (1 in 200 chance each year) event including climate change. Therefore the 'actual risk' of flooding at the site is low and is considered to pass the Sequential Test."

Sutton Bridge is identified as a Main Service Centre, where development is required to sustain services and support its function within the settlement hierarchy. In this context, the Local Planning Authority considers it reasonable to limit the geographic area of search to Sutton Bridge itself.

Sutton Bridge lies almost entirely within Flood Zone 3 and the large majority of Sutton Bridge is restricted to a similar classification with regard to the Strategic Flood Risk Assessment (SFRA) maps.

On this basis, it is concluded that there are no reasonably available alternative sites within the settlement at a lower risk of flooding, and therefore the Sequential Test is passed.

Exceptions Test

The Exception Test comprises two parts, requiring demonstration that:

- development that has to be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk; and
- 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.

In relation to the first limb, the applicant states:

"The Local Plan has a target of a net increase of at least 11,681 dwellings in South Holland over the 25-year local plan period. The Plan considers this ECL1582 Ellingham Consulting 6 new housing is required to ensure the sustainability of the Local Plan area. The proposed development will contribute to this target. AND

The development is located within an existing community. The additional dwellings are a benefit as they will sustain and support the growth of Sutton Bridge AND

The flood risk mitigation measures incorporate climate change allowances and therefore provide a solution that is sustainable for the next 100 years."

Given the site's location within the settlement boundary and the role of Sutton Bridge as a Main Service Centre, the Local Planning Authority agrees that the proposal would deliver wider sustainability benefits which outweigh the identified flood risk.

With regard to the second limb of the Exception Test, the proposed flood mitigation measures and management of residual risk are set out within the Flood Risk Assessment and accompanying additional flood risk information. Following detailed consideration, the Lead Local Flood Authority, Internal Drainage Board and Environment Agency raise no objections to the proposal.

Accordingly, subject to the recommended conditions, the development is considered to satisfy both parts of the Exception Test and to accord with Policy 4 of the South East Lincolnshire Local Plan.

Drainage

At this outline stage, the application is not supported by detailed drainage proposals, with the submitted application form indicating only that surface water would be disposed of via soakaways and foul sewage directed to the mains sewer. No supporting technical drainage strategy or infiltration testing has been provided to demonstrate the feasibility of this approach.

The Internal Drainage Board has advised that the viability of infiltration drainage has not been evidenced and recommends that ground investigation and testing in accordance with BRE Digest 365 be undertaken should infiltration be pursued. In addition, clarity has not been provided regarding confirmation of any riparian watercourses, nor has detailed foul drainage design been submitted.

Notwithstanding the above, it is acknowledged that this is an outline application with access only sought for approval, and that drainage matters can appropriately be addressed through planning conditions. Accordingly, it is considered reasonable and proportionate to secure the submission and approval of detailed surface water and foul drainage schemes by condition, including requirements for infiltration testing where relevant, discharge rates, exceedance routing, and confirmation of connection to the mains sewer. Such conditions would ensure that drainage is designed in accordance with sustainable drainage principles, does not increase flood risk on- or off-site, and provides adequate protection to future occupiers and neighbouring land.

Subject to appropriately worded conditions securing full drainage details prior to commencement, the proposal is considered capable of achieving satisfactory surface water and foul drainage arrangements and therefore accords with Policy 4 of the South East Lincolnshire Local Plan, as well

as relevant guidance within the National Planning Policy Framework.

Highway Safety

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

Policy 2 of the South East Lincolnshire Local Plan requires development proposals to demonstrate that sustainable development considerations are met, particularly in relation to safe access arrangements and vehicle generation. Policy 3 further requires proposals to demonstrate how accessibility by a choice of transport modes, including walking, cycling and public transport, will be secured where relevant. Policy 36 relates to vehicle and cycle parking provision, stating that all new development should provide parking in accordance with the adopted minimum standards set out in Appendix 6.

Lincolnshire County Council Highways has been consulted on the proposal and raises no objection, providing the following comments:

"The proposal is for the erection of 8 dwellings - outline with access to be considered. The site will be accessed from Custom House Street cul-de-sac which is an established residential area. Access from this point for the proposed 8 dwellings would be acceptable - this will be a private drive and will not be adopted in the future. A footway connection is required from the site access to the existing on Custom House Street to ensure pedestrian connectivity is maintained. When a reserved matters application is being prepared consideration should be given to refuse collection points as a refuse vehicle will not enter a private drive. The width of the access with the public highway shall be a minimum of 4.5m wide for the first 10m and thereafter it shall be 3.7m. The proposal will not have an adverse effect on the public highway."

The Highway Authority has recommended conditions requiring details of the vehicular access to the public highway and securing works to improve the public highway prior to occupation. In addition, given that the internal access will be a private drive, it is considered necessary to condition the provision of refuse storage and collection points to ensure appropriate servicing arrangements.

Furthermore, having regard to the constrained nature of Custom House Street and its established residential character, a Construction Management Traffic Plan is also considered necessary to manage construction-phase impacts, protect highway safety, and safeguard residential amenity.

Subject to the imposition of these conditions, the proposal is not considered to result in unacceptable highway safety impacts, would provide suitable access arrangements, and is capable of accommodating appropriate servicing and pedestrian connectivity. The development is therefore considered to accord with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan and the relevant guidance of the National Planning Policy Framework.

Ecology

SELLP Policy 28 is concerned with the Natural Environment, with Part 3 specifically seeking to address gaps within the ecological network and requiring development to deliver measurable biodiversity enhancements where possible.

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 applicant has submitted a Biodiversity Metric Calculation Tool and BNG Metric in support of the proposal.

It is therefore considered that, subject to an appropriately worded planning condition to secure the delivery of a minimum 10% biodiversity net gain off-site before development begins, the proposal would accord with SELLP Policy 28 and the requirements of the National Planning Policy Framework. SELLP Policy 28 is concerned with the Natural Environment, with Part 3 specifically seeking to address gaps within the ecological network and requiring development to deliver measurable biodiversity enhancements where possible.

The applicant has submitted a Biodiversity Metric Calculation Tool and BNG Metric in support of the proposal. The Council's Ecologist initially advised that:

"We are confident this site can achieve 10% mandatory net gain even with the amendments request pre-commencement, however we strongly suggest that the applicants amend the proposals/BNG metric as early in the planning process as possible to minimize uncertainty, avoid delays, and avoid any risk of the applicants failing to satisfactorily discharge the biodiversity gain condition pre-commencement. We require a PEA to be submitted pre-determination. Once this has been provided we will review it and provide our comments back."

Since these comments were received, a Preliminary Ecological Appraisal (PEA) has been submitted by the applicant. The Local Planning Authority has reviewed this information and is satisfied that it adequately assesses the ecological constraints of the site.

The BNG information also confirms that the development remains capable of achieving the required minimum 10% biodiversity net gain.

Accordingly, any planning permission will be conditioned to require the development to be carried out strictly in accordance with the approved PEA and to secure delivery of a minimum 10% biodiversity net gain prior to commencement of development, through a Gain Plan as well as HMMP. Subject to these controls, the proposal is considered capable of delivering the required biodiversity enhancements.

On this basis, the development is considered to accord with Policy 28 of the South East Lincolnshire Local Plan and the requirements of the National Planning Policy Framework.

Environmental Issues

Policy 30 of the South East Lincolnshire Local Plan seeks to ensure that development proposals safeguard environmental quality and residential amenity. It requires that schemes do not result in unacceptable impacts arising from noise, disturbance, lighting, contamination, or other forms of pollution.

Environmental Protection have been consulted on the application and have requested that a land contamination condition be attached. The application site is a former allotment and is located adjacent to an employment zone that accommodates industrial uses. As such, a land contamination condition will be imposed to ensure that the site is safe and suitable for future residents.

Paragraph 200 of the National Planning Policy Framework states that:

"Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

Given the proximity of the application site to the employment zone, it is important to ensure that an acceptable noise environment is provided for future residents. If this is not adequately addressed at the design stage, there is potential for post-development mitigation to place an undue burden on nearby businesses. The Local Planning Authority is satisfied that this matter can be appropriately managed, particularly given the presence of existing residential properties in close proximity to the employment zone that experience similar relationships.

However, to ensure that noise mitigation is designed into the scheme from the outset, rather than addressed retrospectively, a condition will be imposed requiring the submission and written approval of a Noise Impact Assessment prior to the submission of the first Reserved Matters application. The findings and recommendations of the assessment shall inform the detailed design of the development.

Subject to the implementation of the above mitigation measures, the proposal is considered to accord with Policy 30 of the South East Lincolnshire Local Plan and paragraph 200 of the National Planning Policy Framework.

Character and Appearance and Impact upon Residential Amenities

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

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

Policies 2 and 3 of the South East Lincolnshire Local Plan seek to ensure that development responds positively to local character, integrates appropriately within its surroundings, and is accessible and compatible with nearby uses. These policies also sets that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

As this is an outline application with only access sought for approval, the detailed layout, scale, appearance and landscaping of the proposed dwellings are reserved for future consideration. Nevertheless, it is noted that, in order to comply with flood mitigation requirements, the finished floor levels of the properties will need to be significantly higher than existing ground levels. This will be an important design consideration at reserved matters stage, particularly in respect of visual impact, relationship with neighbouring properties, and residential amenity.

Accordingly, careful attention will be required through the reserved matters process to ensure that the development is appropriately designed, sensitively integrated into the surrounding residential context, and does not result in unacceptable impacts on the character of the area or on neighbouring occupiers. Subject to these matters being satisfactorily addressed at reserved matters stage, the proposal is considered capable of complying with Policies 2 and 3 of the South East Lincolnshire Local Plan.

Planning Balance

The proposal seeks outline consent for the erection of 8 dwellings within the settlement boundary of Sutton Bridge, a Main Service Centre under the South East Lincolnshire Local Plan. The principle of residential development in this location accords with Policy 1 of the SELLP, supporting housing delivery within sustainable settlements.

Although the site lies within Flood Zone 3 and an area identified as 'danger for all', the Sequential

Test has been satisfied, with no reasonably available alternative sites within Sutton Bridge at lower flood risk. The Exception Test has also been met, with the proposal delivering wider sustainability benefits through new housing within an established community and incorporating appropriate flood mitigation measures. The Environment Agency, Lead Local Flood Authority and Internal Drainage Board raise no objections, subject to conditions, and detailed drainage arrangements will be secured by condition in accordance with Policy 4 of the SELLP and the NPPF.

Lincolnshire County Council Highways raises no objection to the proposed access arrangements, subject to conditions securing highway works, access details, refuse collection arrangements and a Construction Management Traffic Plan. Subject to these controls, the proposal accords with Policies 2, 3 and 36 of the SELLP.

Ecological matters are supported by a Biodiversity Metric and approved Preliminary Ecological Appraisal, confirming the site's ability to achieve the mandatory 10% biodiversity net gain. Delivery of biodiversity enhancements will be secured through planning conditions, ensuring compliance with Policy 28 of the SELLP and the NPPF.

A land contamination condition will be imposed to safeguard future occupiers, in accordance with Policy 30. Matters of layout, scale and appearance are reserved; however, subject to careful consideration of elevated finished floor levels at reserved matters stage, the development is considered capable of complying with Policies 2 and 3.

Overall, the proposal would provide new housing within a sustainable settlement and deliver biodiversity enhancements, with identified impacts capable of being appropriately mitigated through conditions. When assessed against the Development Plan as a whole and the National Planning Policy Framework, the benefits of the development are considered to outweigh any residual harm. Approval is therefore recommended, subject to conditions.

Additional Considerations

Public Sector Equality Duty

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

- A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
- C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

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

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

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

Human Rights

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

It is not considered that the recommendation in this case interferes with local residents' right to

respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Taking the above considerations into account, the proposal is considered to accord with policies 1,2, 3, 4, 28, 30 & 36 (including the parking standards set out within Appendix 3) of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (December 2024).