DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H20-1258-25**	**Applicant:**	**Belmont UK**
Proposal:	Erection of 3 Dwellings - outline approval H20-1073-24		
Location:	The Orchards Broadgate Sutton St James		
Terminal Date:	12th February 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
17	Providing a Mix of Housing
28	The Natural Environment
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 5 - Delivering and sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Representations:

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

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

CASE OFFICER ASSESSMENT

Proposal

The application seeks reserved matters approval for the proposed scale, appearance, layout and landscaping for 3 dwellings. Outline approval was granted for the 3 dwellings on 03 March 2025 under permission H20-1073-24. Permission was granted for two vehicular accesses, one from Fishergate to the north of the site, and one from Broadgate Road to the east of the site.

Site Description

The site comprises an irregularly shaped parcel of land that is located around The Orchards, 4 Broadgate Road, Sutton St James. The site is located on the corner of Broadgate Road and Fishergate. There are dwellings located to the north, west and south of the site and there is a grade II listed monument (St Ives Cross) located to the east of the site on the opposite side of Broadgate Road.

The site is situated within the settlement boundary of Sutton St James, as identified by Policy 1 in the South East Lincolnshire Local Plan (2019) and the accompanying policies map.

The site is located within Flood Zones 2 and 3, as identified by the Environment Agency's flood risk maps. The south-western corner of the site is within Flood Zone 2 whereas the rest of the site is within Flood Zone 3.

Relevant Planning History

H20-1073-24: (Outline Application) Erection of 3 No Dwellings - approved 03 March 2025

H20-0049-26: (Discharge of Conditions) Details of Biodiversity Gain Plan (Condition 10 of H20-1073-24) - pending determination

Consultation Responses

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

Lincolnshire County Council - Highways and SUDS: The proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application. Highway informatives 03 and 08 are recommended.

Conservation Officer: No significant objections. The massing and location of dwellings are acceptable, as they do not overshadow the listed monument. The boundary treatments should be

clarified. The 1.8m fence on the corner of the property by the listed monument is not supported as this would have impact the openness of the area. A smaller fence of 1.2m would be acceptable. Recommended condition: Prior to the first occupation of the dwelling a scheme of planting to be implemented and there after maintained. Reason: to help mitigate against harmful impacts to the listed monument.

Environmental Protection: No comments.

Historic Environment Officer: The submitted archaeological WSI meets the required standards, and we can recommend discharge in full of Conditions 7 of H20-1073-24 (Details of written scheme of archaeological investigation.

South Holland Internal Drainage Board:

Byelaw 3 (Surface Water): The applicant has indicated that they intend to dispose of surface water via infiltration; however, the viability of this proposal has not been evidenced. Ground investigation should be carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration.

Section 23, Land Drainage Act 1991: There does not appear to be 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.

Ecology Officer: No response received.

Sutton St James Parish Council: No response received.

Cllr L J Eldridge: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, 2 representations have been received from members of the public. The following summarises the responses:

-There could be bats roosting in the barns.
-A 6-foot-high fence should be erected between the site and the neighbouring property.
-Plot 1 would overshadow Norvale (to the west) due to its proposed height and the velux windows would overlook Norvale.
-If the plot level is raised for plot 1, this may cause surface water to flood the garden of Norvale as this has been a problem in the past.

Key Planning Considerations

Development Plan

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

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

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

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

The principle of development for 3 dwellings within the site has already been established as acceptable through the approval of outline permission H20-1073-24. The outline permission also granted consent for the accesses for the development. The current application seeks consent for the detailed design. As such, the main issues and considerations in this case include the following:

- Scale, Appearance, Landscaping and Layout;
- Impact on Heritage Assets;
- Parking and Highway Safety;
- Biodiversity Net Gain; and
- Drainage.

These matters are assessed in turn below.

Scale, Appearance, Landscaping and Layout

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

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

Policy 3 of the Local Plan requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

Policies 2 and 3 of the Local Plan also set out that the impact of proposals on residential amenity is a main consideration when making planning decisions.

The site comprises a corner plot on the corner of Broadgate Road and Fishergate. The locality is characterised by a mix of dwelling types. The nearest dwellings on the B1165 include single storey bungalows, featuring gable end roof forms. The dwellings are set within plots which are relatively evenly spaced. On Broadgate Road, the nearest dwellings include bungalows with a mixture of gable end roof forms and jerkinhead roof forms. The dwellings are also set within evenly spaced plots. The dwelling which the site surrounds, 4 Broadgate Road, comprises a detached single storey dwelling with a gable end roof form.

The proposed layout includes Plots 1 and 2 which face northwards towards Fishergate, and Plot 3 which would face eastwards towards Broadgate Road. Plot 1 is proposed to be located to the east of Norvale, which comprises a detached single storey bungalow. The building line to the west of the site is relatively consistent as the bungalows are set back from the road frontage at similar distances. Initially, the site layout showed Plot 1 projecting further forward than the building line. This was discussed with the applicant's agent and an amended layout has been submitted, moving the dwelling for Plot 1 further backwards into the plot.

The dwelling for Plot 1 features gable end roof forms, which would be similar to the nearest dwellings which also feature gable end roof forms. The dwelling features two storeys and an integrated garage and the dwelling would be taller than the nearest dwellings within the street scene, measuring 7.1m in height at its tallest point. The height of the dwelling is proposed to be staggered, featuring smaller elements at the front and rear of the dwelling. It is noted that concerns have been raised within one of the public representations received that the dwelling would have an overbearing impact on Norvale, to the west of the site. However, the height of the dwelling reduces towards the rear of the plot and there is a separation distance ranging from approximately 2.5m and 3m between the proposed dwelling and the western boundary of the site. As such, it is considered that the scale and positioning of the dwelling would not be overbearing or result in an adverse impact in terms of overshadowing.

It is also noted that concerns have been raised within one of the public representations that the rooflights within Plot 1 would overlook Norvale. The roof lights on the western roof slope would be approximately 5m from the western boundary. Whilst the rooflights would not look directly onto

habitable rooms within Norvale, it would be considered appropriate to require obscure glazing within the rooflights and the side windows at the ground floor level of the dwelling to reduce the potential for overlooking between the properties. Therefore, overall it is considered that the visual and amenity impact of Plot 1 is acceptable.

Plot 2 is proposed to be located to the east of Plot 1 and to the north of The Orchards. Plot 2 is also proposed to feature gable end roof forms, measuring 5.7m in height up to its ridgeline. The dwelling is proposed to be positioned broadly in line with the existing building line to the west and south. It is considered that the scale, appearance and positioning of the dwelling would be suitable. A detached single storey garage is proposed to the side and rear of the dwelling. The garage is proposed to feature a gable end roof form, measuring 4.5m in height up to its ridgeline. It is considered that the scale and positioning of the garage would be subservient and proportionate to the dwelling within Plot 2 and as such, the visual impact of the garage is acceptable.

Plot 3 is proposed to be located to the south of The Orchards and to the north of Homelea. Plot 3 has been amended during the determination of the application to reconfigure the internal layout. Initially, the layout showed bedrooms which faced outwards from the side of the dwelling and it was considered that there would be a poor level of outlook from these windows due to the proximity to the site boundaries.

As such, a first floor is now proposed within the dwelling to accommodate the bedrooms to allow for an improved level of outlook. This has been faciliated through the provision of windows at the front and rear of the dwelling which would not look directly onto neighbouring dwellings. The dwelling would be a similar height to facilitate this (6m up to the ridgeline). Whilst it is still considered that the dwelling would be relatively long, its length is comparable with The Orchards to the north of the site and the dwelling does not extend further to the rear of the plot than Homelea, which is the nearest dwelling located to the south of the site.

The Plot 3 dwelling is still relatively close to the site boundaries; however, fencing is proposed to be retained along the southern boundary and fencing is also proposed along the northern and western boundaries to create a degree of privacy. Furthermore, it would be considered appropriate to include a condition requiring obscure glazing for some of the windows to reduce the potential for overlooking with neighbouring dwellings. With the inclusion of such a condition, it is considered that the proposal would have an acceptable impact on the amenity of future occupants and neighbouring properties.

The proposed external materials for Plot 1 include Vandersanden Flemish Antique Facing Bricks, Sandtoft Double Roman dark grey roof tiles, and grey UPVC doors and windows. For Plot 2, the materials include Vandersanden Corum Facing Bricks, Sandtoft Double Pantile dark grey roof tiles, and grey UPVC doors and windows. Lastly for Plot 3, the external materials include Vandersanden Cottage Mixture Facing Bricks, Sandtoft Double Pantile dark grey roof tiles, and grey doors and windows. Therefore, Plots 1 and 3 would feature red brickwork whereas Plot 2 would feature a yellow brickwork. Whilst most of the nearest dwellings feature red brickwork, there is some variance and it is not considered necessary for Plot 2 to feature red brickwork. As such, the proposed materials are acceptable.

In terms of boundary treatments, there is existing fencing along the western and southern boundaries of the site which is proposed to be retained. The proposal seeks to install 1.8m high close boarded fencing along the rear and side boundaries of the newly demarcated plots. The site layout has been amended to show a revised boundary treatment on the corner of the plot, which is closest to the grade II listed St Ives Cross, located to the east of the site on the opposite side of Broadgate Road. The revised layout shows a close boarded fence behind a hedgerow and lower post and rail fencing in front of this. It is considered that the revised boundary treatment is acceptable and would have an acceptable impact on the setting of the listed St Ives Cross. As such, the proposal is considered to accord with Policy 29 of the Local Plan and Section 16 of the NPPF, which amongst other things require developments to have an acceptable impact on the setting of listed buildings and structures.

In terms of the proposed soft landscaping, some hedgerow planting is proposed along the plot frontages along Broadgate Road and Fishergate. Some tree planting is also proposed within the rear gardens and some of the trees within the site are proposed to be retained. It was noted during a site visit that some of the vegetation and at least one tree has been removed; however, none of the trees within the site are subject to a Tree Preservation Order and as such, the trees can be removed without planning permission. It would be considered appropriate to secure the

implementation of the soft landscaping during the first planting season following practical completion as the proposed soft landscaping should help to integrate the development into the street scene.

As such, it is considered that the proposed scale, appearance, landscaping and layout of the development is acceptable and in accordance with Sections 12 and 16 of the NPPF, and Policies 2, 3 and 29 of the Local Plan.

Impact on Heritage Assets

Section 16 of the NPPF contains guidance as to how local planning authorities should assess proposals that could affect designated and non-designated heritage. For example, Paragraph 212 of the NPPF sets out the following:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 215 of the NPPF further sets out the following:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

Policy 29 of the Local Plan sets out that development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets. Part A.1 of the Policy sets out the following:

"Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting."

As set out previously, there is a grade II listed monument (St Ives Cross) located to the east of the site on the opposite side of Broadgate Road.

The local planning authority's conservation officer raised concerns with the initial layout as a 1.8m high fence was proposed on the corner of the site which is relatively near to the monument. As such, the officer considered that the proposed fencing would have impacted the openness of the area and a smaller fence was suggested. In response to the request, the proposed hedgerow to the east of Plot 2 has been moved further to the west, and the 1.8m high fence is proposed behind the hedgerow. A condition would be considered appropriate to require the proposed planting within the site to be installed within the first planting season after the practical completion of the site. As the fence has been moved further from the monument and the proposed hedgerow would provide a degree of screening, it is considered that this is a reasonable compromise and the boundary treatments in this area would have an acceptable impact on the setting of the monument. Therefore, it is considered that the proposals would accord with Section 16 of the NPPF and Policy 29 of the Local Plan.

Highway Safety and Parking

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

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

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

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

transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The proposed accesses to the site from Fishergate and Broadgate Road have already been approved as part of the outline permission. As such, the accesses are acceptable. Permeable block paving driveways are proposed which should assist with surface water management and the areas closest to the public highways are proposed to be upgraded to Lincolnshire County Council's (LCC) specification requirements. There is considered to be sufficient room for parking and turning within the site for each of the plots. LCC's highways team have not raised any objections to the proposals. Therefore, the development would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Drainage

Condition 6 of the outline permission required details of the proposed soakaways to be submitted with the reserved matters application, including soil testing to demonstrate that soakaways are feasible within the site. Initially, the application was not accompanied by such details; however, the agent has subsequently provided information which demonstrates that the proposed soakaways shown within the site layout are feasible and can accommodate the required amount of surface water. It is noted that concerns have been raised within the public representations that the development could result in an increase in surface water runoff to neighbouring properties; however, sufficient information has been provided to demonstrate that a suitable surface water scheme is proposed for the site.

Planning Balance

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

The proposed development represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. Therefore, the development accords with the Local Plan and the NPPF. In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Additional Considerations

Public Sector Equality Duty

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

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

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

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

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

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

balanced against other relevant factors.

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

Human Rights

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

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

Conclusion

Taking these factors into consideration, the proposal accords with Policies 1, 2, 3, 4, 17, 28, 29 and 36 of the Local Plan, as well as Sections 4, 5, 9, 12, 14, 15 and 16 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

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