

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-0449-25 **Applicant:** Mr I G Head

Proposal: Demolition of existing shed & erection of building for the restoration, repairs & maintenance of vehicles for applicant hobby

Location: The Bungalow Cranesgate North Whaplode St Catherine

Terminal Date: 12th August 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
07	Improving South East Lincolnshire's Employment Land Portfolio
28	The Natural Environment
30	Pollution
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 9 - Promoting sustainable transport
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
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	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks full planning permission for the demolition of an existing shed and the erection of new building in its stead for car repairs and maintenance. The application form is explicit that a B2 use is being applied for, although a supporting statement outlines that the building would only be used in connection with the applicant's hobby and would not be used as a business/ workplace.

The proposed building would measure 30m by 10m, which would be approximately double the footprint of the existing building on site. The garage would have a height of 3m to the eaves, rising to 5m at its ridge. The roof and walls would be constructed of green metal cladding. The door would be grey sheet metal.

Site Description

The site is within the settlement boundaries of Whaplode St Catherine, as outlined within the South East Lincolnshire Local Plan, 2019. The plot is located at the crossroads of Cranesgate North, Ravens Bank (B1165) and Cranesgate South. Little South Holland Drain runs immediately to the south of the property.

The site is comprised of a bungalow to the front of the site, with a large shed to its rear. The existing shed is constructed of grey sheet metal, giving it an agricultural/ industrial appearance. This building and the bungalow display a clear visible relationship. The dwelling is fairly typical of the area, being a mid-20th century bungalow of a reasonable size. The plot benefits from a relatively large garden space.

Relevant History

No relevant history

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:

Ecologist

"confident that this application will be able to achieve 10% net gain through securing 0.03 offsite habitat units pre-commencement."

Environmental Protection

No observations

South Holland Internal Drainage Board

"The Board's Officers have reviewed the documents submitted in support of the above planning application. Although no consent is currently required from the Board, officers have noted a potential for conflict between the planning process and the Board's regulatory regime. The potential

conflict is detailed below and overleaf."

Highway and Lead Local Flood Authority

"The proposal is for Demolition of existing shed & erection of building for the restoration, repairs & maintenance of vehicles for applicant hobby and it does not have an impact on the Public Highway or Surface Water Flood Risk."

Whaplode Parish Council

"Support, please survey for any possible asbestos in the original building."

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, no letters of representation have been received.

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

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 within the settlement of Whaplode St Catherine which is classed as an "other service centre" within Policy 1. As such development will be permitted that supports Whaplode St Catherine's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

As the site is within Whaplode St Catherine, development within this location is considered appropriate. In any event, the proposal solely relates to a building within an established residential curtilage, and is therefore considered an appropriate form of development.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn in the following sections.

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.

The proposed building would be of a significant scale. However, the footprint itself is well proportioned to the large plot that it would be located within, taking up a significant but not overly dominant portion of the garden. Likewise, the footprint of the building would be greater than the host building itself, reducing the level of subservience as a result. However, under Schedule 2, Part 1, Class E of the General Permitted Development Order, 2015, as amended, would allow for a building to be constructed with an equally large footprint without the need for a formal planning application. As such, it would be unreasonable for the Authority to resist the application on this basis.

The height of the building is significant. This, coupled with the visibility of the proposal of the road, would result in the proposal having a relatively high degree of visual prominence. However, the ridge height is not significantly greater than what could be achieved under the provisions of the Permitted Development Order or the existing building. It should also be noted that the location of the development is slightly lower than the adjacent bank, which would reduce the perceived height of the building to a certain. As a result, on balance, it is considered that the additional height would not be so detrimental to the overall appearance of the site as to constitute a reason to resist the application. A comparatively significant impact could occur as a fall back position, with this carrying significant material weight.

The proposed scale and materials would result in a clear industrial character, which juxtaposes the character of the host dwelling. However, the existing building creates a comparable effect, and it is not considered that the proposal would exacerbate this further despite the increase in scale.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the 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 relates to pollution of all kinds, including noise and light pollution.

Ample distance has been maintained to any neighbouring boundary to prevent overlooking or overshadowing.

It is acknowledged that the use for the repair of vehicles would generate some level of noise pollution. However, on balance, it is considered that there would not be a significantly harmful impact in this instance. As the plot is located at the end of a row, with a significant gap to any property to the south, the number of dwellings impacted by any noise generated would be low. The building has been positioned as far from neighbouring dwellings as possible to reduce the amenity impact.

Furthermore, the proposed use is for hobby purposes only, and therefore, the actual intensity of the use is anticipated to be low. Likewise, it is stated within the submission that vehicle repairs already take place on the site as part of the applicant's hobby; and therefore, some level of impact would have already occurred which itself has not generated significant harm. Expanding upon this, planning permission would not necessarily be required to conduct repairs on a private vehicle as part of a hobby in any part of the curtilage. As such, the actual noise pollution could occur irrespective of the outcome of this application. Therefore, this application can be considered a betterment to a certain extent, as noise would be muffled by the garage to a greater extent than if repair works were conducted out in the open.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with 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 and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

As a private hobby use, the proposal would not increase the need for parking on site. In any event, the building can operate as a garage to accommodate vehicles if required.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

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

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the 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 not within a hazard zone. Therefore, the tangible flood risk on the site is low. In any event, the proposed use is identified as "less vulnerable" within Annexe 3 of the NPPF; and therefore, the need to provide flood risk mitigation methods is low.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Biodiversity Net Gain

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

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

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that

seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

The submitted information has shown that the land is of low distinctiveness biodiversity values. It is made up of domestic garden and a sealed surface; therefore, the impacts upon biodiversity emerging from the proposal are relatively low.

The submitted information has identified that 10% net gain cannot be achieved on site due to existing constraints. As such, it is proposed that 10% gains required will be purchased from a suitable habitat bank. This is considered acceptable.

The submitted ecological report also identifies that there is a low probability of protected species on the site.

The response from the consulted ecologist has confirmed agreement with the findings of the report, with the proposed strategy being considered proportionate and acceptable.

Other Matters

The application form has stated that the use would be B2. However, a statement submitted in support of this application has clearly outlined that the building would be for personal use and that no business/ commercial activities would operate from the site. The above assessment has been made on this basis.

In the event that the proposal is approved, it is recommended that appropriately worded conditions are imposed, tying the use of the building to the host dwelling and ensuring that the use would be incidental to use of the Bungalow.

Planning Balance

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

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

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 comply with Policies 1, 2, 3, 4, 29, 33 and 36 of the SELLP, as well as Sections 9, 12, 14 and 15 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.