DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-0767-26**	**Applicant:**	**Mr Baker**
Proposal:	Conversion & extension of existing building to form 1 self build dwelling including change of use from agricultural to garden		
Location:	Harrington Hall Farm Little Marsh Lane Fleet		
Terminal Date:	13th October 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
23	The Reuse of Buildings in the Countryside for Residential Use
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 August 2026

Section 2 - Plan-making policies (PM1 - 17)
Section 3 - Decision-making policies (DM1 - 10)
Section 4 - Achieving sustainable development (S1 - S6)
Section 6 - Delivering a sufficient supply of homes (HO1 - 13)
Section 12 - Making effective use of land (L1 - 3)
Section 14 - Achieving well-designed places (DP1 - 4)
Section 15 - Promoting sustainable transport (TR1 - 8)
Section 17 - Pollution, public protection and security (P1 - 6)
Section 18 - Managing flood risk and coastal change (F1 - 9)
Section 19 - Conserving and enhancing the natural environment (N1 - 9)
Section 20 - Conserving and enhancing the historic environment (HE1 - 10)

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	0	1
OTHER STATUTORY BODIES	0	0	0	3

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks full planning permission for the conversion and extension of a building to form a self-build dwelling. Consent is also sought to change the use of land within the red line boundary to be used as ancillary space for the dwelling. This includes a driveway area and land to the side and rear of the proposed dwelling.

Site Description

The application site comprises an existing building located on land at Harrington Hall Farm, Fleet. The site is located approximately 600m to the south-west of Fleet. The site features an L-shaped building and an existing vehicular access from Little Marsh Lane, which is to the east of the site. There is an existing dwelling to the east of the site.

The site is outside any defined settlement boundary, as identified by the South East Lincolnshire Local Plan (2019) and the accompanying policies map. Therefore, the site is within the countryside in planning policy terms.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Planning History

H05-0444-99: (Full Application) Extension to bungalow and alteration to vehicular access - approved 25 June 1999

H05-0490-02: (Full Application) Erect glasshouse to replace polytunnel - approved 02 July 2002

H05-0165-03: (Full Application) Erect glasshouse to replace polytunnels - approved 11 April 2003

H05-0609-04: (Full Application) Erect glasshouse to replace polytunnels - approved 22 June 2004

H05-0592-04: (Full Application) Erection of glasshouses to replace existing polytunnels - approved 22 June 2004

H05-0948-06: (Full Application) Erect glasshouse to replace polytunnels - approved 15 August 2006

H05-1038-06: (Full Application) Erect glasshouse to replace polytunnels - approved 22 September 2006

H05-1161-06: (Full Application) Erect glasshouse to replace polytunnels, install oil storage tanks, dwarf wall and concrete apron - approved 11 October 2006

H05-0754-07: (Full Application) Erect glasshouse to replace polytunnels, install heating oil storage tanks - approved 01 August 2007

H05-0950-08: (Full Application) Conversion of outbuilding to office and store - approved 24 October 2008

H05-1078-24: (Prior Approval) Conversion of an existing agricultural building to residential dwelling - approved 17 February 2025

H05-0788-25: (Non Material Amendment) Conversion of existing agricultural building to residential dwelling - approved under H05-1078-24. Amendments to fenestration - approved 16 September 2025

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS:

The access and parking arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

South Holland Internal Drainage Board:

Byelaw 3 (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. If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. The Board recommend that any discharge is in line with the National standards for sustainable drainage systems (SuDS) published in June 2025. Further to the National Standards for SuDS, the Board's policy is to restrict discharges to 2/l/s/ha or annual average flood flow rate (QBar or QMed), whichever is higher. Please note that any consent granted for the discharge of surface water is likely to be subject to a Surface Water Development Contribution fee (SWDC) as outlined within our Development Control Charges and Fees.

Byelaw 3 (Treated Foul Water): I note that the applicant has not indicated how they propose to dispose of foul water from the development. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. Please note that any consent granted for the discharge of treated foul water is likely to be subject to a Treated Foul Water Development Contribution fee (TFWDC) as outlined within our Development Control Charges and Fees.

Section 23, 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 arterial watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply.

Lincolnshire County Council - Historic Environment:

The proposed development will comprise 'Conversion & extension of existing building to form 1 self

build dwelling including change of use from agricultural to garden'. It is noted that the applicant has not provided an assessment of the archaeological or heritage potential of the site, as outlined in the NPPF HE5. Harrington Hall Farm (Fleet Hall), Fleet is a non-designated heritage asset included within the HER (Historic Environment Record): Building record MLI123489, Harrington Hall Farm (Fleet Hall), Fleet. Partially extant 19th century farmstead. Regular courtyard of T plan. The farmhouse is detached from the main working complex. This is confirmed by satellite imagery, the OS Historic Map 1892-1914, and it was identified by English Heritage during their Greater Lincolnshire Farmsteads Assessment Framework, English Heritage / Historic England, 2015, Greater Lincolnshire Farmsteads Project, 9327 (Digital Archive). SLI15702. Traditional farm buildings such as this are increasingly becoming redundant in a rapidly changing industry. They play an integral part in giving the landscape of South Holland its sense of place and character and preserve evidence for the history and development of the area's agricultural industry and fenland social history. These vernacular buildings are now increasingly under threat from conversion or demolition and are a diminishing resource in our countryside.

We recommend that if permission is granted, there be a condition for a mitigation strategy to effectively deal with this site. This will comprise a phased programme of recording including, but not limited to, a level 1 historic building recording of the agricultural building subject to conversion, in accordance with Historic England's document 'Understanding Historic Buildings: A Guide to Good Recording Practice'. This will enable the agricultural building to be recorded prior to the conversion. This should be secured by South Holland District Council's standard condition AR04 and is in accordance with the National Planning Policy Framework (2026), Policies HE5, HE7 and HE10, and the South East Lincolnshire Local Plan (Policy 29).

Lincolnshire Wildlife Trust:

No substantive comments or recommendations on the proposal.

Ecology Officer:

The applicant has provided thorough ecological documentation therefore in my judgement providing sufficient ecological data to determine this application. We support all mitigation and enhancement recommendations provided in section 6, page 11 of the PEA and request that they are required by condition. We request that a total of 1 integrated universal nest brick and 1 integrated bat box is added to the dwelling.

Environmental Protection:

I have reviewed Goldfinch Environmental Ltd Tier 1 Contamination Risk Assessment for Harrington Hall Farm, Little Marsh Lane, Fleet, Holbeach, Report Ref: 1058/1, Dated: February 2026. I am in agreement with the findings of this report. However In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority (LPA).

Fleet Parish Council: No response received.

Cllr P S Barnes: No response received.

Lincolnshire Bat Group: 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, no representations from members of the public have been received.

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 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, August 2026 (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 main issues and considerations in this case include the following:

-Principle of Development;
oProposed Conversion and Extension
oComparison with Fallback Scheme
oChange of Use to Provide Enlarged Garden
-Design, Layout and Impact on the Character and Appearance of the Area;
-Impact on Heritage Assets;
-Impact on Residential Amenity;
-Highway Safety and Parking;
-Flood Risk and Drainage;
-Biodiversity Net Gain; and
-Contamination.

These matters are assessed in turn below.

Principle of Development

Proposed Conversion and Extension

Policy 1 of the Local Plan 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 any defined settlement boundary and is, therefore, within the countryside in planning policy terms. The nearest settlements include Fleet Hargate which is approximately 500m to the north-east of the site, and Fleet which is approximately 500m to the south-east of the site.

Part D of Policy 1 sets out that within 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.

Notwithstanding the requirements of Policy 1, as the proposal seeks to convert and extend an existing building within the countryside, Policy 23 of the Local is relevant in this case as this relates to the reuse of buildings within the countryside for residential use.

Policy S5 of the NPPF (Principle of development outside settlements) contains similarities with Policy 23. For example, Policy S5 sets out that only certain forms of development should be approved outside settlements which includes part c which is relevant in this case:

"c) The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building25. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces"

It should be noted that footnote 25 referenced above sets out the following: "The existing building is to be assessed as the property as existing on the date of the publication of this Framework".

Although Policy 23 of the Local Plan contains more detailed qualifying criteria relative to the type of buildings that are reasonably deemed appropriate to be converted in such circumstances, it is considered that Policy S5 of the NPPF and Policy 23 are materially consistent in accordance with Annex A of the NPPF. For example, Part 1 of Policy 23 sets out that the building that is proposed for conversion should be structurally sound and capable of conversion without the need for "significant extension, alteration or rebuilding". This is similar to Policy S5 which sets out that proposals should not result in "disproportionate" additions. As such, there are broad similarities between the policies.

A policy within a development plan is more likely to contain more detail and qualifying criteria than a policy within the NPPF given that they are specific to a locality rather than covering national issues. The additional qualifying criteria do not automatically demonstrate that such policies are inconsistent so long as the core objective of what they seek to achieve is consistent, which is the case in this instance. Furthermore, the Local Plan remains a material consideration, and the policies should continue to be afforded weight in the determination of applications and appeals.

Therefore, it is necessary to consider whether the proposals accord with the criteria of Policy 23 of the Local Plan. Policy 23 sets out the following:

"Proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential use will be permitted provided that:

Proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential use will be permitted provided that:
1. the building is structurally sound and capable of conversion without the need for significant extension, alteration or rebuilding;
2. the building is of architectural or historic merit or makes a positive contribution to the character of the landscape, to justify conversion to ensure retention;
3. the proposal is in keeping with its surroundings;
4. the design is sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction; and
5. development leads to an enhancement of the immediate setting of the building."

In terms of part 1, it is considered that the proposal is structurally sound and capable of conversion; however, the proposed extension is considered to be of relatively large compared with the existing building. For example, the built footprint of the existing building covers approximately 165sqm of land whereas the proposed extension covers approximately 92sqm of land. This equates to an increase of approximately 55%. Whether this is significant is a subjective matter. In this case, the site benefits from existing screening and a degree of enclosure. The proposed extension would not be visible from the street scene along Little Marsh Lane due to the position of the existing building, the dwelling to the east of the site and existing trees and hedgerows in and around the site. The upper part of the extension might be partially visible from a distance on other public roads such as Haycroft Lane to the north and Hazelwood Lane to the south. However, due to the single storey nature of the extension, it is not considered that the built form would have a harmful impact. The proposal would create a U-shaped courtyard style dwelling that would be relatively contained within the existing parcel of land. Therefore, whilst the extension is relatively large, it is considered that it can be accepted in this instance based on the individual circumstances and character of the site and the proposals.

In terms of part 2, Lincolnshire County Council's (LCC) Historic Environment Team consider that the site comprises a non-designated heritage asset. The submitted Design and Access Statement does not refer to the history of the building or provide clarifications in terms of when the building was likely constructed. Notwithstanding this, the Historic Environment Record for the site sets out the following (Building record MLI123489):

"Harrington Hall Farm (Fleet Hall), Fleet. Partially extant 19th century farmstead. Regular courtyard of T plan. The farmhouse is detached from the main working complex. There has been significant loss (greater than 50%) of traditional buildings. Isolated location. Large modern sheds are located on the site."

Therefore, the site is estimated to have lost more than 50% of its traditional buildings including the

eastern portion of the building that is the subject of this application. However, based on a review of historic mapping, photographs and site aerial images of the site, it is considered that the remaining building appears to be historic. For example, the current footprint of the building appears to overlap most of the historic footprint of the building based on historic mapping from 1892-1914. The building appears to have retained its original walls; however, following the approval of permission H05-0950-08 the building has been repointed and a new roof was installed. It is noted that the officer's report for application H05-0950-08 noted that the "existing features are of high quality in terms of design" and condition 4 of the permission referred to the "architectural and historic quality of the building". Therefore, despite the lack of information provided within the submitted Design and Access Statement, it is considered that the building has architectural and historic merit that justifies its retention.

In terms of part 3, although the site is largely surrounded by open agricultural fields, the site is also located to the rear of a dwelling and there is sporadic development within the wider area. Existing trees and hedgerows located within and around the site provide a degree of screening of the site from the surrounding area and this creates a sense of enclosure. As such, the proposal would not result in a significant encroachment into open countryside and the proposal is considered to be in keeping with the surroundings of the site in accordance with part 3.

In terms of part 4, the external changes to the existing building are similar to the changes that were approved as part of the prior approval (H05-1078-24). In terms of the extension, the height of the ridgeline and eaves of the extension would match the height of the existing building. Furthermore, the extension would feature a similar appearance to the existing building in terms of its materials and general appearance. As such, it is considered that the design is sympathetic to the character and appearance of the building in accordance with part 4.

In terms of part 5, although the extension can be regarded as having an acceptable visual impact, it is not considered that the proposals would enhance the immediate setting of the building.

Therefore, the proposal is considered to broadly accord with Policy 23. Although it is not clear if the proposal would enhance the setting of the site, it is not considered that the proposal would harm the setting and as such, this can be afforded neutral weight.

Comparison with Fallback Scheme

The application is accompanied by a Design and Access Statement (DAS), within reference is made to the prior approval consent that was permitted on 17th February 2025 using Class Q permitted development rights (H05-1078-24). This consent related to the building within the site that is proposed to be converted and extended under the current proposals. Under the Class Q fallback scheme, the building was not proposed to be extended, it was only proposed to be converted through minor external alterations such as window and door alterations. According to the DAS, the proposed development in this instance represents an improvement over the Class Q fallback scheme.

Caselaw has demonstrated that Class Q consents are a legitimate fallback position when considering alternative proposals for development of the same site. The relevant legal principles relating to fallback were set out in R v Secretary of State for the Environment and Havering BC (1998) EnvLR189. In that case Mr Lockhart-Mummery QC, sitting as a Deputy High Court Judge, accepted submissions that there were three elements to the fallback test:

"First whether there is a fallback use, that is to say whether there is a lawful ability to undertake such a use; secondly, whether there is a likelihood or real prospect of such occurring. Thirdly, if the answer to the second question is "yes", a comparison must be made between the proposed development and the fallback use."

The notion of the Class Q fallback position was also comprehensively dealt with at the landmark Court of Appeal case, Mansell vs Tonbridge and Malling Borough Council (2017). This case established that that where there is demonstrably a realistic prospect of a permitted development scheme being implemented, and where an alternative proposal would normally conflict with the development plan insofar as it being an unsuitable location for housing, the potential for the fallback position to outweigh that conflict must be considered by the local authority. Therefore, where the alternative new-build proposal offers either an enhancement to the setting or a reduction in density when compared to the fallback, the development could be allowed to proceed.

The local authority considers that there is a realistic prospect that the Class Q conversion could take place. Consent has recently been granted, and the developer has three years to complete the development. Therefore, it is necessary to consider if the current proposals offer either an enhancement to the setting or a reduction in density when compared to the fallback position.

According to the DAS, one of the reasons that the proposal is considered to represent a betterment is the provision of additional living space to allow space for a "family with permanent residency and a place to grow rather than move out of the area with an expanding family". The Class Q fallback scheme showed 2 bedrooms whereas the current proposal shows 3 bedrooms; however, it is worth noting that the internal floor area of the Class Q fallback scheme was approximately 130sqm. The nationally described space space for a single storey 3-bedroom dwelling recommends between 74sqm and 95sqm of internal floorspace. As such, there would be ample room within the Class Q fallback scheme to accommodate a 3-bedroom dwelling. In fact, a 6-bedroom scheme could be accommodated as the NDSS requires 125sqm of internal floorspace for a 6-bedroom sceheme that can accommodate up to 8 people. Therefore, very limited weight is given to the provision of additional living space for future occupants as there is considered to be ample room within the Class Q fallback scheme for a family.

Reference is also made within the submitted DAS to the provision of landscaping which will "enhance the biodiversity of the site, provide a net gain and enhance the future occupier's well-being". However, it is unclear where additional landscaping is proposed as the site plan does not appear to refer to any additional landscaping. Furthermore, the proposal is accompanied by a Biodiversity Net Gain Exemption Statement and as such, a net gain in biodiversity is not proposed.

The DAS also sets out that the proposal will "increase the flood resilience of the building compared to that achievable under the class Q approval, H05-1078-24, therefore resulting in a net positive to the flood risk assessment". However, it is not considered that the proposal would provide an improvement in flood risk terms. Whilst the proposed level of flood risk mitigation might be acceptable, this can only be given neutral weight in the planning balance as this is expected as a minimum requirement. Instead, the proposal would increase the impermeable area within the site which would require the additional surface water to be managed and this is not considered to represent a betterment. Regardless, it is more important to consider if the proposal represents an improvement in terms of the design and appearance of the proposal as this is the factor that appears to be most relevant in caselaw.

The DAS sets out that the proposal would be "more attractive to the street scene". It is considered that the extension is unlikely to be visible from the nearest street scene along Little Marsh Lane due to its positioned behind the existing building and behind the dwelling to the east. Therefore, it is not considered that the proposal would be more attractive to the street scene than the current scheme; however, its visual impact could be regarded as neutral when viewed from Little Marsh Lane. As set out previously, the extension is unlikely to be visually prominent when viewed from the other nearest public roads to the site due to the separation distances involved.

Therefore, it is not considered that the proposal represents a betterment over the Class Q fallback scheme; however, the proposal is also not regarded as having a worse visual impact than the fallback scheme.

Change of Use to Provide Enlarged Garden

The proposal also seeks to change the use of the land around the building to be used as garden land in association with the converted building.

As part of the Class Q fallback scheme, some of the land around the building could comprise the curtilage of the converted building. The size of this land could only be as large as the building itself as is allowed for under Class Q legislation. Therefore, in terms of the Class Q fallback scheme, the land within the curtilage of the building could only cover approximately 165sqm.

Under the current application, consent is sought to expand this towards the west and south-west of the building. The proposed change of use does not strictly accord with the requirements of Policy 1 of the Local Plan when viewed in principle. For example, it is not considered that the proposed change of use would be necessary and it would not deliver any particular economic, community or environmental benefits other than personal benefits to the applicant. As such, a proposal for a change of use of land to domestic land, when within a countryside location, would not typically be supported in principle.

However, it is necessary to consider the site-specific context and the overall impact of the proposals. In this case, the land that is proposed within the garden would be partially screened by existing hedgerows and trees in and around the site and this creates a degree of containment and enclosure. Due to the size of the land where the change of use is proposed, its proximity to the host dwelling and the sense of enclosure that is around the proposed new site boundary, it is considered that the area where the change of use is proposed is considered to be proportionate to the host dwelling.

Therefore, whilst the proposal does not strictly accord with Policy 1, it is not considered that the proposals would have a significant detrimental impact on the countryside in this instance. As such, in this case the principle of development is considered to be acceptable as the increase in garden and is considered to be proportionate to the host dwelling.

Design, Layout and Impact on the Character and Appearance of the Area

Policy DP3 (Key principles for well-designed places) of the NPPF states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

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

Policy 3 accords with the provisions of Section 12 of the NPPF, requiring development to feature 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.

As set out previously, the external changes to the existing building are similar to the changes that were approved as part of the prior approval (H05-1078-24). The visual impact of the extension is also considered to be acceptable in this instance, as set out within the previous section of this assessment. As such, the proposed development would have an acceptable impact on the character and appearance of the area, in accordance with Policies 2 and 3 of the Local Plan, and Section 14 of the NPPF.

Impact on Heritage Assets

Section 20 of the NPPF contains guidance as to how local planning authorities should assess proposals that could affect designated and non-designated heritage. For example, Policy HE5 (Assessing effects on heritage assets) requires proposals affecting heritage assets to be accompanied by an assessment of the significant of the assets affected.

Policy HE7 of the NPPF sets out that where a proposal would harm the significance of a non-designated heritage asset, this should be weighed against the benefits of the proposal and a balanced judgement made.

Policy 29 of the Local Plan sets out that where a development proposal would affect the significance of a non-designated heritage asset, it should be informed by proportionate historic environment assessments and evaluations.

As set out previously, Lincolnshire County Council's Historic Environment Team consider that the building within the site is a non-designated heritage asset. The team have not set out objections to the proposed external alterations or the extension of the building; however, the team have recommended a condition to secure a historic building recording of the building prior to its conversion. With the inclusion of such a condition, it is considered that the proposal would have an acceptable impact on the NDHA and accord with the aims of Policies HE7 and 29.

Impact on Residential Amenity

Policy P3 (Living conditions and pollution) of the NPPF sets out that development should provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding

exposure to levels of air, noise, artificial light or other sources of pollution. The policy also sets out that proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.

Policies 2 and 3 of Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

As set out above, it is considered that the proposal would result in ample indoor living space and outdoor amenity space for future occupants.

The nearest dwelling is Harrington Hall, and it is considered that the proposal would have an acceptable impact on the amenity of occupants of this neighbouring dwellings. For example, there would be suitable separation distances to prevent an unacceptable degree of overlooking. Further details of the boundary treatment to provide a degree of screening between the properties could be secured via a planning condition.

As detailed above, the proposed development would not result in an unacceptable impact on the residential amenity of neighbouring dwellings or future occupants. As such, in amenity terms, the proposal accords with Policy P3 of the NPPF and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Policy TR6 (Assessing transport impacts) of the NPPF sets out that development proposals should only be refused on highways grounds if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement.

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 of the Local Plan 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 36 and Appendix 6 of the Local Plan, set out minimum vehicle parking standards. The standards require at least two spaces for dwellings of up to three bedrooms, and three spaces for dwellings with four or more bedrooms.

The proposal seeks to use the existing vehicular access to the site and there is considered to be sufficient room for parking and turning within the site. Lincolnshire County Council's (LCC) highways team have raised no concerns or objections to the proposals. Therefore, the proposals would have an acceptable impact in terms of highway safety and would therefore accord with Local Plan Policies 2, 3 and 36, and Section 15 of the NPPF.

Flood Risk and Drainage

Section 18 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.

Policy 2 of the Local Plan requires proposals to meet sustainable development considerations including in relation to sustainable drainage and flood risk (part 7).

Policy 4 of the Local Plan requires proposals in Flood Zones 2 and 3 to be supported by sufficient information relating to flood risks associated with the development.

Although the site is within Flood Zone 3, the development is not required to pass the sequential or exception tests in flood risk terms as the proposal is for a change of use. Part 2(c) of Policy F5 (The sequential test) sets out that proposals for a change of use are not required to pass the sequential test unless they are for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site, which is not the case.

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. Within the SFRA, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under.

The application is accompanied by a Flood Risk Assessment (FRA). The FRA concludes that the probability of this development flooding from localised drainage systems is low. Failure of Lutton Leam Tidal Sluice could lead to an increased level of risk at the site. The site is within an area benefitting from defences. The flood embankments to the Wash and the River Nene and River Welland tidal defences provide protection during a 0.5% annual probability (1 in 200 chance each year) event. The flood risk from the Wash is lowered further by second line defences and various informal banks constructed during the reclamation of Holbeach Marsh.

The FRA sets out recommendations to help mitigate the risk of flooding within the site such as setting the finished ground floor levels at a minimum of 0.3m above surrounding ground levels and that 0.3m of flood resilient construction is included above the finished floor level. It would be considered appropriate to include a condition requiring compliance with the recommended mitigation outlined within the submitted FRA.

According to the application form, the proposed means of drainage within the site is via a soakaway. This is supported in principle as a sustainable means of drainage; however, it is unclear if ground conditions are suitable for a soakaway at this stage. As such, further details could be secured via a condition.

The proposed means of foul drainage is also not yet confirmed and as such, it would be considered appropriate to secure further details of the foul drainage strategy via a condition.

Therefore, it is considered that the proposal accords with Policy 4 of the Local Plan and the intentions of the NPPF in terms of managing 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 (BNG) 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 proposal is considered to be exempt in this case as the site area is less than 0.2ha and it is not considered that there is any priority habitat within the site.

The application is accompanied by an Ecological Impact Assessment (EcIA) and the council's

ecology officer considers that thorough ecological documentation has been provided. The officer supports the mitigation and enhancement recommendation, the implementation of which could be secured via a condition. The officer has also requested that an integrated universal nest brick and 1 integrated bat box is added to the dwelling. These measures are set out within the EcIA.

Contamination

Policy 30 of the Local Plan requires proposal not to be permitted if they would result in an unacceptable adverse impact upon the health and safety of the public or on land quality.

As set out previously, the council's Environmental Protection Team have reviewed the submitted contamination assessment which concludes that there is a low risk of contamination within the site. As such, not further assessment work is deemed necessary.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

It is considered that the proposals accord with the aims of Policy 23 of the Local Plan and Policy S5 of the NPPF. Policy 23 contains criteria that exceed the requirements of Policy S5 and as set out previously it is not considered that the proposal would enhance the setting of the site to strictly accord with part 5 of Policy 23. Notwithstanding this, it is also not considered that the proposals would harm the setting of the site.

Although the proposed increase in garden land does not strictly accord with Policy 1 of the Local Plan, it is considered that the change of use would be acceptable in this instance as the garden land would be enclosed within the existing parcel of land around the site. The garden land would not encroach significantly into open countryside and as such, the visual impact is considered to be acceptable, and the garden land is not considered to be excessive. The proposed development is also considered to be acceptable in terms of other relevant considerations such as highway safety, flood risk and ecology. Therefore, the overall 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 the above considerations into account, the proposal is considered to accord with Policies 1, 2, 3, 4, 11, 17, 23, 28, 29, 30 and 36 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

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