

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0234-25 Applicant: George Thompson Farms Ltd.

Proposal: Erection of 2 Calf Barns

Location: Hurn Bank Holbeach Hurn Spalding

Terminal Date: 31st May 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
- 28 The Natural Environment
- 30 Pollution
- 31 Climate Change and Renewable and Low Carbon Energy
- APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework December 2024

- Section 2: Achieving Sustainable Development
- Section 6: Building a Strong, Competitive Economy
- Section 12: Achieving Well-designed Places
- Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15: Conserving and Enhancing the Natural Environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	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	0
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

Planning permission is sought for the construction of two agricultural buildings to be used as calf barns. The buildings will have a floor area of 30metres by 15metres with an eaves height of 4.4metres and ridge of 7.8metres. The external walls of the structures will be of block work with wooden cladding above and the roofs will be covered using profile fibre cement sheeting.

Site Description

The site is located in countryside at Hurn Bank, Holbeach Hurn. The site forms a parcel of agricultural land adjacent to a group of farm buildings benefitting from planning permission granted in April 2024. The main farmstead and associated farmhouse are located to the south-west of the site from where access is gained to the application site via a private roadway.

History

H09-0149-24: Proposed straw barn. Approved 23.04.2024.

H09-0142-24: Proposed calf barn. Approved 23.04.2024

H09-0127-24: Proposed calf barn. Approved 23.04.2024

Consultation Responses

Responses Received 10th March 2025 to 31st March 2025

Holbeach Parish Council

Fully support the application.

South Holland Internal Drainage Board

Advise no consent is currently required from the Board.

Highway and Lead Local Flood Authority

Request additional information- will the proposal result in any increase in vehicle movements to and from the site.

Historic Environment Officer

Advises the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for the application.

Environment Protection Officer

Has no comment to make regarding land contamination or environmental protection.

Senior Ecologist

Advises corrections are required in the BNG Small Sites Metric, but considers the proposal will be able to achieve the 10% net gain requirements.

Responses Received 4th April 2025

Highway and Lead Local Flood Authority

No objections.

Public Representation

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.

Planning Considerations

The main issues in the case are:

Principle of Development and Sustainability

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

Impact on Neighbouring Residents

Highway Safety and Parking

Flood Risk Considerations and Surface Water Drainage

Biodiversity Net Gain

Evaluation

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

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

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

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

Principle of Development and Sustainability

The National Planning Policy Framework (Framework) December 2024 sets out the Government's planning policies for England and how they should be applied. It advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; an economic objective, a social objective, and an environmental objective, which are interdependent and should be pursued in mutually supportive ways.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. The Policy further advises in the countryside, development will be permitted that is necessary in 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.

The site is an established farmstead that comprises several agricultural buildings serving the holding. Agricultural operations are an acceptable form of land use in the countryside and the Framework at paragraph 88, encourages the sustainable growth and expansion of rural businesses. There would be economic benefit through the construction of the buildings and the development of

an established rural enterprise would contribute to the sustainability of the rural community.

The principle of the proposal therefore accords with the requirements of Policy 1 of the South East Lincolnshire Local Plan, 2019, subject to the consideration of all other material factors which are assessed in the sections below.

Layout, Design and Impact on the Character of the Area

The Framework advises, at paragraph 131, good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The Framework further states, in paragraph 187(b), planning decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside.

Policy 2 of the South East Lincolnshire Local Plan (2019) 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. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it 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 landscape surroundings.

The buildings will have a floor area of 30metres by 15metres with an eaves height of 4.4metres and ridge of 7.8metres. The external walls of the structures will be of block work with wooden cladding above and the roofs will be covered using profile fibre cement sheeting. The scale of the structures and palette of external materials reflect the appearance of the existing buildings on the farmstead.

The proposed buildings will be located a considerable distance from the public highway and screened from public vantage points by established tree cover. Moreover, the structures will be viewed as part of an existing group of agricultural buildings in the landscape with minimal resulting visual intrusion.

The proposal would serve to safeguard the existing character and appearance of the area and in this regard would accord with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) along with advice contained within Section 12 of the National Planning Policy Framework (December 2024).

Impact on Neighbouring Residents

The Framework advises, at paragraph 135, development should create places with a high standard of amenity for existing and future users.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Grove Farm, to the west of the buildings is a farmhouse associated with the agricultural enterprise. Residential properties in the locality are situated a reasonable distance from the development to ensure there is no detriment to the level of amenity the occupants currently enjoy in terms of odour or disturbance.

In this regard the proposal therefore accords with provisions of the Framework and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Paragraph 116 of the Framework advises that development should only be 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, considering all reasonable future scenarios.

Policy 2 of the Local Plan states that proposals requiring planning permission 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.

Further, Policy 36, to be read in conjunction with Appendix 6, of the South East Lincolnshire Local Plan (2019), sets out minimum vehicle parking standards required for development proposals.

The highway authority has no objection to the proposal, it is advised the site is located away from the public highway and there will be no increase in vehicle movements to and from the site as a result of the proposal. Moreover, the site is an established farming enterprise with adequate turning and parking facilities to serve the development.

The proposal would therefore accord with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019m and Section 9 of the National Planning Policy Framework, December 2024.

Flood Risk Considerations and Surface Water Drainage

Paragraph 170 of the Framework advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Further stating, where development is necessary in such areas the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 173 states a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding, with the aim of steering new development to areas with the lowest risk of flooding from any source.

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 South East Lincolnshire Local Plan (2019) 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.

Agricultural development is classified as 'less vulnerable' development within Annex 3 of the Framework and Table 2 of the PPG (Flood risk vulnerability and flood zone 'incompatibility') confirms an Exception Test for less vulnerable development within flood zone 3 is not required.

A site specific Flood Risk Assessment has been submitted as part of the application, which also refers to the Sequential Test. This advises the site is protected by the tidal defences on the Wash that were not considered during the preparation of the Environment Agency Flood Maps. The SFRA confirms that site is not at risk during the 1% annual probability (1 in 100 chance each year) fluvial event including an allowance for climate change and the 0.5% annual probability (1 in 200 chance each year) tidal event including an allowance for climate change. When the protection provided by flood defences are considered the 'actual risk' of flooding at the site is low. The FRA further states large parts of South Holland District between the River Welland and River Nene lie within flood zone 3, as such opportunities to undertake the development at an alternative site within flood zone 1 are limited.

The site forms part of an established farming enterprise and the buildings are required to serve the functional needs of that unit, it is therefore not considered there are any sequentially preferable or acceptable sites available and in this regard the Sequential Test is met and the development is therefore suitable for the proposed location.

The FRA considers the probability of the development flooding from localised drainage systems is low, but acknowledges the development increases the impermeable area and therefore has the potential to increase flood risk elsewhere. The FRA recommends that surface water run-off is managed so that stormwater from the development will not affect adjoining properties or increase the flood risk elsewhere.

The Internal Drainage Board advise the applicant has indicated that they intend to dispose of surface water via infiltration. However, the IDB state the viability of this proposal has not be

evidenced and recommend ground investigation is carried out to determine infiltration potential. The IDB further advise that if infiltration is not feasible at the site, the IDB would expect the applicant to propose to discharge surface water to a watercourse, requiring IDB consent.

Given the requirement of the IDB along with the recommendation of the FRA that surface water runoff is managed it is considered reasonable to attach a condition requiring details of a surface water drainage strategy to be submitted for the written approval of the local planning authority.

The proposal will be made safe for the lifetime of the development and subject to the submission and approval of an acceptable surface water drainage strategy will not increase the risk of flooding elsewhere. The proposal therefore accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is required under a statutory framework introduced under Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) and 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.

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.

For applications that are submitted prior to the introduction of this requirement, the development would exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

The Council's Ecologist advised that having reviewed the submitted BNG Small-sites Metric and Biodiversity Gain Plan form, the baseline maps and gain plan are considered sufficiently detailed such that the authority can be reasonably confident that this development can achieve the mandatory 10% biodiversity net gain requirement.

However, the Ecologist identified two issues with the BNG Small-sites Metric that required correction:

- 1). The proposed planting of 33 new trees is incorrectly entered in the metric calculations. These are currently entered as "medium" sized trees in the metric, however, the statutory metric user guide states that applicants must "record newly planted individual trees as 'small', unless 'medium' size or above at the time of site-planting". Thus, unless the new tree planting consists of uprooting and transplanting 33 trees with a diameter at breast height greater than 30 cm, then these must be entered in the small size class within the small-sites metric. Unfortunately, this significantly reduces the post-development biodiversity value of the site and estimate a net biodiversity loss.
- 2). The baseline habitat in the red-line boundary is currently classified as "Modified grassland" in the metric. However, looking at various satellite imagery between 1985-2025 indicates that the site was primarily within an arable rotation up until very recently. Therefore, it is strongly suspected that this area would be much more accurately classified as "cropland - cereal crops" in the baseline metric calculations. This reduces the estimated baseline biodiversity value of the site, which results in the proposals achieving an estimated 32% net gain in biodiversity value (after making the tree correction above in point 1). Therefore, it is queried how long the site has been managed as a "grassland" and if it has been planted as arable up to last year, it is advocated that it is classified as such in the metric.

An amended Small-sites Metric, Pre-Development Baseline Map and Biodiversity Gain Plan form were subsequently submitted by the applicant to accord with the requirements of the Council's Ecologist to ensure the development achieves the mandatory 10% biodiversity net gain.

Planning Balance

As detailed above Section 38(6) of the Planning and Compulsory Purchase Act 20024, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan unless material considerations indicate otherwise.

The site is an established farmstead, agricultural operations are an acceptable form of land use in the countryside. There would be economic benefit through the construction phase and social benefit through the contribution to the sustainability of the rural community, to which moderate weight is attached.

The proposal will safeguard the character of the area, and also the level of amenity currently afforded to nearby residential properties, nor will there be any detriment to highway safety. Matters relating to surface water drainage and Biodiversity Net Gain can be addressed through appropriately worded conditions.

The proposal accords with the South East Lincolnshire Local Plan, 2019, and the provisions of the National Planning Policy Framework, December 2024, when viewed as a whole.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with policies 1, 2, 3, 4, and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework(December 2024). 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.

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.

Recommendation

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