DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0591-23**	**Applicant:**	**Ashwood Homes Limited**
Proposal:	Demolition of modern additions and refurbishment of farm house and outbuilding to provide community facilities		
Location:	Manor Farm Fen Road Holbeach		
Terminal Date:	12th March 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2023

Sections 12 and 13 of the National Planning Policy Framework (December 2023)

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
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application is for the demolition of modern additions and refurbishment of farm house and outbuilding to provide community facilities at Manor Farm, Fen Road, Holbeach.

Site Description

Manor Farm is a Grade II listed farmhouse situated in a location which shall become a central position within a large housing development. The Historic England Listing description describes the property like so:

"*Farmhouse. c.1800, late C19. Red brick. Slate roof with 2 ridge stacks. 2 storeys, 4 bay front with first floor band and eaves band rising over first floor windows. Doorway to right with overlight and plank door. Single glazing bar sash to right. Paired later C19 glazing bar sashes to left, with plain head. Single glazing bar sashes. 3 glazing bar sashes above. All the openings, except for the paired sashes, with flush wedge lintels.*"

History

H09-0521-14

Residential development of up to 900 dwellings, with access off Hall Gate and Fen Road, including public open space, drainage infrastructure, landscaping, including demolition of two dwellings and agricultural buildings (but not listed Manor Farm and adjacent outbuildings). Approved on 07-12-16.

H09-0331-17

Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14). Approved on 09-11-17.

Consultation Responses

Holbeach Parish Council

Concerns over parking and building usage

LCC Historic Places Team

Thank you for consulting us on this application. Whilst I am supportive of finding a new use for this building, particularly one which is community focussed, it is my recommendation that the Manor Farm undergo a programme of archaeological recording before it is changed. This should include a Historic Building Recording, comprising, but not limited to, a photographic record and a plan to document the surviving elements of the building. The resulting report would form a permanent record prior to all legibility of the farmstead being destroyed or altered by the proposed development. The results of the survey should be submitted to the Local Planning Authority and the Historic Environment Record prior to work commencing on site.

Lincolnshire County Council Lead Local Highways and Flood Authority

The demolition of the modern additions to the Listed Building would not be expected to have any material impact upon the safe operation or the capacity of the local road network - notwithstanding the fact that the Application Site sits entirely within the Applicant Company's active housing development and none of the estate roads are yet adopted.

The materials from the demolished elements of the building could easily be crushed on-site and incorporated within the on-going construction works. Similarly, the proposed refurbishment works to the Listed Building would not, of themselves, have any impact upon the neighbouring roads, within the background operations of an active building site.

The highway authority has no objection to the approval of those two elements of this Application. The only unresolved element of this Application (as it also remains for the companion Application H09-0598-23) is whether the number of car parking spaces indicated on the submitted layout

drawing would be sufficient to accommodate the vehicles of visitors to the proposed 'community facilities'.

The Application Site is adjacent to the part of the Holbeach Meadows development Masterplan that is identified to be used as a school, so it may be possible for there to be some sort of symbiotic arrangement for each to provide overspill car parking for the other.

Planning Considerations

The key considerations in this case are as follows:

- Principle of the proposed change of use
- Heritage Impact.
- Highways safety and parking.

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, 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 (2023) 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

It should first be noted for context that under the consent for the original housing development within this site is situated, it was stipulated that the range of listed buildings would be restored and converted to a 'community use' and so the principle for this change of use has been established under H09-0521-14. However, a period of close to 10 years has now passed, as well as the introduction of new local and national legislation, and so an updated assessment is warranted, but should it be found to be against the principle of development, this should be weighted against the decision made under H09-0521-14 and the desirability of utilising this range of heritage assets.

A community use in this instance is necessarily defined as being use class F.2, which allows a wide range of uses, including the following;

(a) a shop mostly selling essential goods, including food, to visiting members of the public in circumstances where:
  (i) the shop's premises cover an area not more than 280 metres square, and
  (ii) there is no other such facility within 1000 metre radius of the shop's location,
(b) a hall or meeting place for the principal use of the local community
(c) an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms,
(d) an indoor or outdoor swimming pool or skating rink

The South East Lincolnshire Local Plan sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

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

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

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan indicates that within Minor Service Centres, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. This policy goes on to detail that development within Minor Service Centres will normally be limited to Allocated and Committed sites and infill.

This site is situated within Holbeach, a Main Service Centre, and as such development shall be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. In this instance, all of the potential uses described above within Use Class F.2 do support Hobeach's role as a service centre and directly contribute to the service needs of the housing development planned to be constructed around it. Therefore, the principle of development is accepted.

Heritage Impact

As it stands, Manor Farm and the associated outbuildings are in a poor state of repair, and have been historically altered in an insensitive manor. This application seeks demolition of the large flat roofed C20th extensions and various points of the external outbuilding walls, to create modern openings to support the proposed uses. Additionally, large quantities of internal minor demolition is required to create usable community spaces. The proposed demolition of the C20th extensions is seen an an undisputed positive, as these extensions are not of any value to the asset whatsoever.

Whilst the loss of a large quantity of external walling to the outbuilding is regrettable, it must be accepted that this is required in view of the proposed use, stipulated by the Local Planning Authority under the 2014 application, and that the outbuilding is not a listed building in its own right and is therefore only considered listed due to its association to the main house, which shall remain virtually unscathed visually following the removal of the inappropriate C20th extensions. By means of condition, it shall be ensured that windows, doors, and external accoutrements and materials shall be fully sympathetic to the listed nature of the building.

Paragraph 202 of the NPPF states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision. In this instance, however, there is no evidence of deliberate neglect, as the property has simply been vacant for a very long time and therefore, the exceptionally poor existing condition can be taken into account and the proposal to restore it can be considered a benefit in its own right.

Paragraph 205 of the NPPF categorises harm to heritage assets within 3 classes; substantial harm, total loss, or less than substantial harm. Due to the reasoning above, this proposal is considered by the LPA to amount to less than substantial harm. As confirmed by Paragraph 208 of the NPPF, where a development proposal can be considered to represent 'less than substantial harm', the harm should be weighted against the public benefits of the proposal, including securing the structure's optimal viable use. In this case, there is a clear public benefit in allowing the proposed development, as the community use proposed is of self-evident value to the local community that shall exist around the development. Taking that into account, in addition to the fact that as per Paragraph 202 of the NPPF allows the proposed restoration to be a benefit in its own right, it is considered that the public benefit does, in this case, outweigh the less than substantial harm and therefore, the proposal satisfies both Policy 29 of the SELLP and S16 of the NPPF.

Parking and Highway Safety

The LCC highways authority were consulted on this application and raised no objection, however, they were concerned that the proposed quantity of parking was not sufficient for the site. However, given the proposed F.2. use, in this instance, the LPA holds that the smaller quantity of allocated parking spaces shall not represent a material harm upon the local road network. This is because the proposed use suggests to service only the local community proposed around the building, and as such, pedestrian travel to the site will remain the key form of transport to utilise the on site services, and it is anticipated that most potential uses shall not present a risk of long-term stays. As such, the

LPA does not consider there to be a risk to the local road network in approving this proposal.

Conclusion

For the reasons listed above, the Local Planning Authority considers that this application conforms to Policies 1, 2, 3 and 29 of the SELLP in addition to Sections 12 and 16 of the NPPF. Therefore, the recommendation is to approve.

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.