DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-1184-25**	**Applicant:**	**Mrs Wheatley**
Proposal:	Proposed change of use of agricultural building to dwelling		
Location:	Rear Of Derene Damgate Holbeach		
Terminal Date:	20th March 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Town and Country Planning (General Permitted Development) Order 2015:

- Schedule 2, Part 3, Class Q - Agricultural buildings to dwellinghouses

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
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	1

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks consent to establish if prior approval is required for the change of use of an agricultural building into a dwelling.

Consent is sought under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended). It has been established that prior approval is required, and as such it is necessary to assess whether prior approval should be granted.

Site Description

The site is located outside any defined settlement boundary and is therefore in the open countryside in planning terms, as outlined by the South East Lincolnshire Local Plan 2019 (SELLP).

The agricultural building is set to the rear of the residential dwelling 'Derene'. Surrounding the site there are large agricultural fields which are undeveloped with a sparce number of residential properties nearby.

History

H09-0376-17 - Conversion of agricultural building into dwelling - Approved

H09-0306-20 - Change of use of agricultural storage building into dwelling - Approved

Consultation Responses

South Holland Internal Drainage Board

Byelaw 3 - Consent may be required

Section 23, Land Drainage Act 1991 - Consent not currently required

Byelaw 10 - Not Applicable

Environment Agency

Environment Agency position

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The finished floor level of the proposed dwelling shall be set no lower than 3.2 metres above Ordnance Datum as outlined in the submitted flood risk assessment (prepared by S M Hemmings).

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan.

Lincolnshire County Council Highways & SuDS

Recommendation: No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected

to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

As Highways and Lead Local Flood Authority we assess all Prior Approval applications as to whether or not Prior Approval is required for Transport/Highways impacts and flooding risks on the site. This proposal is for change of use of agricultural building to dwelling and the access meets the guidelines set out in Manual for Streets, adequate parking provision is proposed within the limits of the site and the proposal will not impact flood risk. Therefore, it is considered that the proposals would not result in an unacceptable impact of highway safety and flood risk.

The access will require upgrading to meet the current Lincolnshire County Council specification for a domestic crossing.

Informatives

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb.

Lincolnshire County Council Historic Places

Thank you for consulting us on this.

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

South Holland District Council Environmental Protection

I request a screening assessment form be completed and submitted with photographs for this location. This form is available at:

https://www.sholland.gov.uk/article/11653/Planning-application-consultations

Comments After Screening Assessment

I have reviewed the submitted screening assessment form dated 12th January 2026 with accompanying photos. I request that a precautionary land contamination condition be applied at this location as follows: 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). An investigation and risk assessment must be undertaken in accordance with details to be agreed with the LPA. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the LPA. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by the LPA. No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA. Reason: To assess whether the site is polluted and

to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

Ecology

When protected species may be at risk of harm from Class Q development, LPAs should require an assessment of the potential impact upon protected species to accompany prior approval applications.

After reviewing the Supporting Statement, Proposed Site Plan, and google street view imagery, I do not believe that we have enough information to rule out potential impacts to either Barn Owls or potentially bats. Therefore, I believe that the authority should request a protected species survey report prior to determination such that the LPA can attach any pre-commencement conditions to the approval to secure any appropriate protection or mitigation measures.

Comments After Preliminary Ecological Appraisal

Yes, the report adequately surveys and describes the status of nesting birds on site and concludes that there is an active long-term barn owl nest (Schedule 1-protected) within the barn as well as evidence of a few other species. The report also describes an acceptable approach to temporarily mitigate the loss of the nest site from the barn conversion (moving the already installed nest box higher up into a larger mature tree on site.

Below, I list a series of recommended conditions (and justifications) that the authority should include in the permission to ensure that we fulfil our duty to protected species and reversing biodiversity declines (obtained from The Barn Owl Trust's Guide to Rural Planning Applications). Barn Owls are a schedule 1 listed species under the Wildlife and Countryside Act (1981), which makes it an offense to intentionally or recklessly disturb a bird: i) on or near a nest containing eggs or young; ii) when it's building a nest; or iii) disturb its dependent young. Local authorities also have a statutory duty under the Natural Environment and Rural Communities Act (2006) "to take such measures as they consider expedient for the purposes of conserving biodiversity including restoring or enhancing a population or habitat", and paragraph 187 of the NPPF states that "Planning policies and decisions should contribute to and enhance the natural and local environment by... d) minimising impacts on and providing net gains for biodiversity, including incorporating features which support priority or threatened species".

The recommended measures include restricting timing of works to be outside of the barn owl nesting season, providing temporary nest/roost site provision in advance of development work (already in hand), and providing permanent nest site provision if appropriate within the new building (or other suitable structure expected to last 100 years).

The latter would be best to discuss with the applicants ahead of time. Barn Owls will use any type of rural building (domestic, industrial, agricultural etc.) and on-site provision can be made in any building provided that the entrance hole is at least 3 metres above ground level, big enough, visible and leads into a nest chamber of adequate size. In a typical barn conversion, the provision may be made in a house or a garage block overlooking open countryside. The access hole can either be made through the roof or through a wall; and where there is no residual loft space the nest chamber can be wholly or partly contained within the wall and/or can be built into the room as a small feature. As long as the nest box is adequately insulated, there is no requirement for annual inspection and no onerous commitment for future owners. Guidance can be found here: http://www.barnowltrust.org.uk/best-owl-nest-boxes/barn-owl-nestboxes-building-projects.

Recommended conditions in line with the above:

1. A Barn Owl roosting/nesting box shall be appropriately provided for Barn Owls within 200 metres of the development site at least 30 days before any development works commence in consultation with a suitably knowledgeable ecologist. This provision must be kept free from disturbance and remain in place until at least 30 days after permanent provision has been made in accordance with details that shall be submitted to and approved by the authority.

Reason: to secure the protection of the species by maintaining continuity of occupation (by providing temporary additional roosting/nesting places on-site).

The applicant is advised that the above condition has been imposed because Barn Owls are a Schedule 1 Protected Species under the Wildlife and Countryside Act (1981) as amended, which affords them special protection against intentional or reckless disturbance whilst nesting. Barn Owls are site-faithful, highly sedentary, and maintaining continuity of occupation is important for their survival.

2. No building and construction work shall take place within 30 metres of any part of the site containing material evidence of Barn Owl occupation; and development works to which the consent applies must not take place between 1st March and 31st August unless survey based evidence has been provided to the Local Planning Authority that no birds are nesting within 3 days of work commencing.

Reason: to ensure that nesting Barn Owls are not disturbed by development works and to enable the Local Authority to fulfil its obligation under Section 25 (1) of the Wildlife and Countryside Act (1981) as amended.

The applicant is advised that due to the potential 3-year delay between the granting of consent and works commencing, an immediately predevelopment survey is necessary to avoid an offence being committed under the relevant legislation. Approximately 75% of nesting cycles occur within 1 March and 31 August, however, nesting has been recorded in every month of the year. Please be aware that it is the developer's responsibility to ensure that nesting Barn Owls and their dependent young are not disturbed during development. To satisfy the condition, onsite protection measures may be necessary, including the establishment of on-site exclusion zones with the use of fencing and signage.

3. A permanent accessible nesting space for Barn Owls shall be provided within the developed building or elsewhere onsite to which the consent applies, and thereafter maintained, in accordance with details that shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason: to secure the long-term conservation of the species.

The applicant is advised that permanent provision must be made in line with guidance available at: http://www. barnowltrust.org.uk/best-owlnest-boxes/barn-owl-nestboxes-building-projects.

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 have been received from members of the public.

Planning Considerations

Whether the Proposal Comprises Permitted Development

It is first necessary to consider whether the proposed works comprise permitted development.

Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), allows for the conversion of agricultural buildings to residential dwellings. This is however subject to certain conditions and restrictions, including the requirement for applicants to apply to the local planning authority to determine if a prior approval application is necessary.

Class Q permits development comprising of a change of use of a building within an agricultural unit to residential use (Use Class C3), including any land within the curtilage of the building. Class Q allows for any building operations 'reasonably necessary' to convert the building and for small-scale extensions. This details:

Q. Development consisting of -
(a) a change of use of -
(i) a building that is part of an established agricultural unit and any land within that building's curtilage, or
(ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage, to a use falling within Class C3 (dwellinghouses) of

Schedule 1 to the Use Classes Order,
(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or
(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

Paragraph Q.1 of Class Q includes parts a) to p), and these specify the circumstances under which development is and is not permitted. The proposed building conversion is assessed against these criteria below.

Q.1. Development is not permitted by Class Q if -
(a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit -
(i) on 24th July 2023, or
(ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins

The application form outlines that the site was part of the established agricultural unit on 24 July 2023.

(b) in the case of a site that was (but is no longer) part of an established agricultural unit -
(i) the site was part of an established agricultural unit on 24th July 2023,
(ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or
(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose

The barn is on land which has been occupied for the purposes of agriculture on or before the 24th July 2023 and therefore accords to these requirements.

(c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres

The footprint of the building sits at around 81 square metres.

(d) the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in -
(i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or
(ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres

The proposed number of dwellings would not exceed 10, nor would the floorspace exceed 1,000sqm.

(e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained

The Application Form states that the site is not currently occupied under any agricultural tenancy agreements.

(f) less than 1 year before the date development begins -
(i) an agricultural tenancy over the site has been terminated, and
(ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use

Again, the Application Form states that no agricultural tenancy agreements have been determined in the year before development is proposed to begin for the purposes of carrying out the proposed change of use.

(g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and

operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins

Development under Class A(a) or Class B(a) has not taken place within the unit in the past ten years.

(h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than -
(i) extension of the building allowed by paragraph Q.1(i);
(ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i)

The external dimensions would not exceed beyond the external dimensions of the existing building.

(i) the development under Class Q(b) would result in an extension that -
(i) has more than one storey,
(ii) is sited anywhere other than to the rear of the existing building,
(iii) extends beyond the rear wall of the existing building by more than 4 metres,
(iv) has eaves the height of which exceed the height of the eaves of the existing building,
(v) is higher than whichever is the lower of;
(aa) the highest part of the roof of the existing building, or
(bb) a height of 4 metres above the ground,
(vi) extends beyond a wall that forms a side or principal elevation of the existing building, or
(vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and -
(aa) the hard surface was not provided on the land on or before 24th July 2023, or
(bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins

The development does not result in any extensions throughout.

(j) the development under Class Q(c) would consist of building operations other than -
(i) the installation or replacement of -
(aa) windows, doors, roofs, or exterior walls, or
(bb) water, drainage, electricity, gas or other services,
to the extent reasonably necessary for the building to function as a dwellinghouse, and (ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i)

The development would not consist of any building operations other than those outlined above. It also does not propose the partial demolition of any part of the existing building on site.

(k) the site is on article 2(3) land

The site is not on article 2(3) land.

(l) the site is, or forms part of -
(i) a site of special scientific interest;
(ii) a safety hazard area;
(iii) a military explosives storage area

The site is not within a site of special scientific interest, a safety hazard area or a military explosives area.

(m) the site is, or contains, a scheduled monument

The site is not, nor does it contain a scheduled monument.

(n) the building is a listed building

The building is not a listed building.

(o) the existing building, excluding any proposed extension under Class Q(b) but including any

proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 201564 as read with the notes dated 19th May 2016 which apply to it, or

The proposed dwelling would comply with the National Described Space Standards.

(p) the building does not have suitable existing access to a public highway

There is an existing access running along 'Derene' and leading out onto Damgate. This access is considered to be suitable providing that it upgraded to LCC Specification for a domestic crossing. A condition has been applied to ensure this is the case.

The proposed development is considered to comprise permitted development. It is subsequently necessary to assess the application against the requirements of the conditions of Class Q, as specified within paragraph Q.2.

Q.2. - (1) Where the development proposed is development under Class Q(a) together with development under Class Q(c), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to -
(a) transport and highways impacts of the development,
(b) noise impacts of the development,
(c) contamination risks on the site,
(d) flooding risks on the site,
(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,
(f) the design or external appearance of the building, and
(g) the provision of adequate natural light in all habitable rooms of the dwellinghouses, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application

a - Transport and Highways Impact

Lincolnshire County Council Highways have raised no objections to the scheme in this instance and have stated that *"the access meets the guidelines set out in Manual for Streets, adequate parking provision is proposed within the limits of the site"*. Furthermore, the access should be upgraded to meet the current LCC specification for a domestic crossing, as stated previously, a condition will be added to the decision notice to ensure this is carried out satisfactorily. Overall, the proposal is not considered to have an adverse impact on the public highway.

Two further informatives will be attached to the decision notice.

b - Noise Impacts

The potential for noise impacts will be relatively low due to the sparse number of residential dwellings in the immediate areas. The wider area is dominated by large open agricultural fields with the only residential properties being 'Derene', directly in front of the site and 'Avondale', around 60m to the south. The site is not located in an area that is likely to be subject to adverse levels of noise. It is therefore considered that future occupants would not be subject to an unacceptable degree of noise disturbance.

c - Contamination Risks

A Screening Assessment Form was requested by Environmental Health to be submitted alongside photographs. Once this had been completed and submitted, Environmental Health requested that precautionary land contamination conditions be applied to the development.

d - Flood Risk

The site is within Flood Zone 3 of the Environment Agency's flood maps and is within an area of Danger for Some/Most as identified within the South Holland Strategic Flood Risk Assessment. The Flood Risk Assessment (FRA) shows the residual peak depth in 2115 for 0.1% (1 in 1000 year) tidal and fluvial event probability is 0.25 - 0.50m (max depth). The risk of flooding to the building from

IDB drains can be considered low, especially with the floor level of the proposed building being approximately 600mm above ground levels on the site. Furthermore, if drains become full any flooding that may occur would happen very slowly and affect land at levels below 2.50m OD before the proposed development site.

It also goes on to say that although the site is in Flood Zone 3, the actual risk of flooding from any EA or IDB watercourse is very low with the site only being likely to flood if a beach occurs in the east bank of the River Welland or the west bank of the River Nene during a 1 in 1000 year high tide.

The SFRA recommends that appropriate mitigation is provided for proposals that seek to change the use of land from a 'less' vulnerable use to a 'more' vulnerable use. The FRA therefore sets out that that the finished floor level of the proposed dwelling should be raised to a minimum level of 3.20m OD which is 500mm above the existing floor level of the barn. Due to the somewhat high flood risk of the site, the Environment Agency have been consulted on the application with their comments setting a condition they wish to be included on the decision notice should the application be approved. This condition recommends the same as the FRA and therefore suggests that the raised FFL is appropriate for the area.

e - Whether the Conversion is Impractical/Undesirable

This consideration is not specifically defined, however Planning Practice Guidance sets out at Paragraph 109 (reference ID: 13-109-20150305) that impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".

Although the site is relatively isolated as it is not within walking distance of key services and facilities, site is near to a road and as such there is an existing access to the site.

The layout of the property following the conversion would allow it to be practically used and the features would also help towards this. Furthermore, the location is also considered to make it somewhat desirable through the rural nature of the site. As such, the conversion would not be impractical or undesirable.

f - Design and External Appearance

The external materials have been listed as existing blockwork to remain for the walls, natural slate roof tiles, grey aluminium windows and doors and black uPVC rainwater goods. The materials are therefore mostly the same as what is already there or acceptable within the area. Furthermore, due to the rural location there would be no material harm caused to the wider area.

g - Natural Light in Habitable Rooms

Each habitable room has at least one window to ensure that adequate natural light be provided alongside suitable ventilation given the location of windows on the building.

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, it is considered that prior approval should be approved with conditions. The proposed development has been assessed against the relevant prior approval criteria, and it is considered that the proposed conversion would have an acceptable impact on the area.

Recommendation

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