DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0148-26**	**Applicant:**	**Compact Car Corner**
Proposal:	Barn/storage building converted to living accommodation & proposed storage containers - Part Retrospective		
Location:	Compact Car Corner Wisbech Road Long Sutton		
Terminal Date:	14th May 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
07	Improving South East Lincolnshire's Employment Land Portfolio
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 December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 5 - Delivering a sufficient supply of homes
Section 6 - Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
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
Section 16 - Conserving and enhancing the historic environment

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	1	0
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Description of Proposal

The application seeks full planning permission to convert an existing building to residential use. The description of development refers to this building as a 'barn/storage' building; however, as set out below, the approved use for the site from permission H11-0092-14 was for a 'car sales area with log cabin for office use log cabin for office use'. Therefore, the building is an ancillary building which has consent to be used as part of the wider car sales use within the site.

The application is part retrospective, as the applicant sets out that they have lived within the building. The building is located within the eastern part of the site.

Permission is also sought to locate storage containers within the site. The containers are proposed to be located along the northern and southern edges of the site.

Site Description

The site is located to the south-east of a roundabout which connects the A17, B1359 and Wisbech Road. The site features a car sales lot. To the north, there is a storage business (A1 Storage Solutions) and there are agricultural buildings to the east. To the west of the site, on the opposite side of Wisbech Road, there are a number of businesses such as Long Sutton Barns, and a McDonald's restaurant. To the north-west of the roundabout, there is a hotel, restaurant, a petrol station and a ribbon of housing development leaving towards Long Sutton. There is a dwelling (Belvedere, 60 Wisbech Road) located approximately 90m to the south of the site.

There is a grade II listed milestone on the opposite side of Wisbech Road, to the west of the site.

The site is outside of any defined settlement boundaries, as identified by the South East Lincolnshire Local Plan 2011-2036 and accompanying policies map. The site is not allocated for development, and it 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.

Relevant Planning History

The following applications relate to the application site:

H11-0092-14: (Full Application) Change of use from wasteland to car sales area with log cabin for office use and 2 metre high palisade fencing - approved 30 April 2014

H11-0498-14: (Discharge of Conditions) Details of layout of site, boundary treatment and external materials (conditions 3, 4 and 5 of H11-0092-14) - approved 09 September 2014

H11-0497-14: (Full Application) New vehicular access (retrospective) - approved 09 September 2014

H11-1144-17: (Full Application) Siting of mobile home for occupation in conjunction with Compact Car Corner (retrospective) - Refused 22 January 2018. Dismissed on appeal 15 January 2019

H11-1083-21: (Full Application) Proposed residential development - erection of dwelling to include business facilities - refused 15 December 2021. Dismissed on appeal 04 November 2022

H11-0702-24: (Full Application) Barn/Storage building converted to living accommodation and proposed storage containers - Part Retrospective - refused 14 April 2025

The following applications partly overlap the northern part of the site:

H11-1253-87: (Outline Application) Erection of petrol filling station, restaurant &' shop at junction of Wisbech Rd & new A17 by-pass' - approved 23 February 1988

H11-1373-88: Erection of petrol station: petrol pump islands,' pumps & storage tanks, shop, office, toilets' - approved 08 November 1988

Land north of the site:

H11-1253-87: (Outline Application) Erection of petrol filling station, restaurant &' shop at junction of Wisbech Rd & new A17 by-pass' - approved 23 February 1988

H11-1373-88: (Outline Application) Erection of petrol station: petrol pump islands,' pumps & storage tanks, shop, office, toilets' - approved 08 November 1988

H11-0553-98: (Full Application) Installation of ATM within existing sales building - not determined

H11-1257-00: (Full Application) Change of use of existing garage site to vehicle sales - approved 21 June 2001

H11-0392-04: (Discharge of Conditions) Advisory road signs/road markings (not now required) (Condition 2 of H11/1257/00) - approved 29 April 2004

H11-0386-04: (Full Application) Erection of 2.1 metre high palisade fencing on boundary, including 2.5 metre high entrance posts (retrospective) - approved 14 May 2004

H11-0893-21: (Advertisement Consent) Erection of Signage - Retrospective - approved 22 December 2021

Consultation Responses

Responses have been received from the below referenced consultees. The responses are summarised below; however, the responses can be viewed in their entirety on South Holland District Council's website.

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 intends to treat foul waste using a septic tank, however I cannot see that the applicant has indicated how they intend to dispose of treated foul water from this 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 note the presence of a watercourse which is not maintained by the Board (a riparian watercourse) adjacent to the northern site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, or if works are proposed to alter the 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.

Environment Agency: As the proposed development is outside Hazard Mapping for the area, it falls under G7 of the local flood risk standing advice and therefore we do not need to be consulted further on this application. It does not appear to fit any other criteria on our consultation checklist, 'When to consult the Environment Agency'.

Lincolnshire County Council - Highways and SUDS: The site was previously for caravan storage and previously to that car sales. Vehicle movements will be very similar therefore the proposal will not have an adverse impact on the public highway.

Conservation Officer: No objections. Proposal site is on the opposite side of the road to the Grade II listed milestone near Yew Cottage. The nature of that designated is such that I do not consider this proposed development to risk any material harm to that asset.

Lincolnshire County Council: Historic Environment Officer: The proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application.

Environmental Protection: No comments.

Crime Prevention Design Advisor (Police): No response received.

Long Sutton Parish Council: No response received.

Cllr A C Tennant: No response received.

Cllr J Tyrell: No response received.

Cllr D J Wilkinson: No response received.

Ecology Officer: 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, December 2024 (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;
-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; and
-Biodiversity Net Gain.

These matters are assessed in turn below.

Principle of Development

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.

Part D of SELLP Policy 1 sets out permitted development types within the open countryside. It states that *"The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside"*.

The site is outside any defined settlement limit and is therefore within the countryside in planning policy terms. 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.

There are two elements to consider in terms of the principle of development. The first is whether the principle of converting the existing building within the site into a dwelling is acceptable. The second is whether it is acceptable to site storage containers within the site.

Within the explanatory text of Policy 1 and throughout the SELLP, further discussion of what can be considered to necessitate a Countryside location can be found. Policy 23 outlines that the reuse of a building in the Countryside for residential use can be considered as development which necessitates a Countryside location.

The Reuse of Buildings in the Countryside for Residential Use

Paragraph 84 of the NPPF outlines that "Planning policies and decisions should avoid the development of isolated homes in the countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting".

In terms of the proposed conversion of the building within the site to residential use, the most relevant policy from the Local Plan is Policy 23 'The Reuse of Buildings in the Countryside for Residential Use'. Policy 23 sets out that proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential use will be permitted provided that parts 1 to 5 are addressed:

"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."

The Reasoned Justification associated with this policy explains the rationale and aims of Policy 23. Paragraph 5.15.3 states:

"Rural buildings, such as brick-built barns, can make a significant contribution to the character of an area and so there is a concern that they should not remain vacant, under-used or become derelict, detracting from the visual character and quality of the designated Countryside. Policy 23 therefore makes provision for the conversion and reuse of rural buildings as dwellings. South East Lincolnshire's stock of traditional and historic buildings is a finite resource and so conversions provide the opportunity to retain and enhance the architectural quality and character of the building and its setting."

This is expanded upon by Paragraphs 5.15.4 and 5.15.5, which are copied below for context:

"5.15.4: However, not all buildings in the Countryside are suitable for conversion as they may be of insubstantial construction, of poor design or not in keeping with their surroundings. Buildings to be converted should be structurally sound and proposals which require significant extension, alteration or rebuilding will be not acceptable. Structural surveys may be required in order to demonstrate that a building is structurally sound. Proposals which would involve rebuilding, rather than conversion, will be regarded as new dwellings in the Countryside and will not be permitted."

"5.15.5: Proposals will be required to be sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction in order to conserve its interest. They should also seek to optimise the potential to enhance the character and quality of the site. In terms of vehicular access, proposals should meet the requirements of the Highways Authority."

The aims of Policy 23 can therefore be broadly outlined as the retention and enhancement of buildings of architectural, or historical merit, in the Countryside.

In terms of the above reference criteria, the existing building is considered to be structurally sound and no external alterations are proposed. Therefore, the proposal accords with part 1.

In terms of part 2, the building is not considered to be of architectural or historic merit, nor does it make a particularly positive contribution to the character of the landscape in order to justify its retention. The building features black wooden facades and grey metal roof and it is not considered that its appearance contributes positively to the area. Therefore, the proposal does not accord with part 2.

In terms of part 3, the proposed residential use of the site is not considered to be in keeping with the surroundings of the site. The site is located next to a busy road and there is an existing storage container site to the north and the site is used for commercial purposes. Therefore, the proposed residential use is not considered to be in keeping with the site surroundings which features largely comprises a commercial and rural character. Therefore, the proposal does not accord with part 3.

Part 4 is not relevant in this case as no external alterations are proposed.

In terms of part 5, the proposed development is not considered to lead to an enhancement of the immediate setting of the building. The site is currently used for car sales, and it is proposed to locate storage containers within the site. This is not considered to lead to an enhancement of the setting of the building as storage containers are relatively unsightly and the proposal does not propose any visual mitigation such as landscaping or planting.

For the reasons outlined above, the proposal is at conflict with criteria 2, 3 and of Policy 23. Therefore, the proposed residential use of the building within the site is considered to be contrary to Policy 23 of the Local Plan.

Furthermore, the proposals remain unchanged from the proposals that were refused planning permission under application H11-0702-24 on 14 April 2025. No additional information has been provided to address the previous reason for refusal, which included the lack of conformity with Policy 23 of the Local Plan. The previous planning refusal H11-0702-24 is a material consideration in the determination of the current application.

Storage Containers

In terms of the proposed storage containers, Policy 7 of the Local Plan sets out the new businesses outside of the allocated employment sites will be supported provided that the proposal involves the re-use of previously developed land or the conversion/re-use of redundant buildings.

The containers are proposed on land that is previously developed. There is an existing storage container business to the north of the site. As such, the proposed containers would not be incongruous within the street scene. The proposed use of the site for storage containers would not generate any further employment. Notwithstanding this, there is support in principle for the proposed containers under Policy 7.

Principle of Development - Conclusion

The proposal, by virtue of the proposed residential dwelling, would be at conflict with the South East Lincolnshire Local Plan. The proposal does not necessitate a countryside location, and the proposal directly conflicts with numerous criteria of Policy 23 and as such, the proposal is not considered to be acceptable in principle, being at conflict with Policy 1 and Policy 23 of the South East Lincolnshire Local Plan.

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

Paragraph 135 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping.

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

Policy 3 of the Local Plan requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

No external changes are proposed to the existing building within the site which is proposed to be converted into a dwelling. Therefore, the proposed development would not impact the visual appearance of the building in a detrimental manner.

It is unclear if or where a residential garden is proposed for the dwelling. Outdoor amenity space is important for the wellbeing of occupants and as such external amenity space should be provided. Residential paraphernalia could be installed within any garden land without planning permission which could impact the appearance of the area. Appropriate boundary treatments could help reduce the impact of such paraphernalia and details of boundary treatments could be secured via a planning condition.

The submitted site plan proposes 25 storage containers. The submitted plans do not confirm the height or finish of the containers. Over time, metal storage containers can deteriorate in appearance and become unsightly. Therefore, permission for storage containers is usually only granted on a temporary basis as containers can look unkempt after a certain period of time and they are generally not regarded as suitable forms of permanent development. Notwithstanding this, it is recognised that there is a storage container site to the north of the site. It is unclear if or when permission was granted for storage containers on land to the north. It is considered that the existing storage containers to the north of the site have already negatively impacted the visual appearance of the area.

Even if there were no storage containers to the north, both the application site and the site to the north have planning permission to be used for vehicle sales. As such, vehicles can be stored on the land for the purposes of selling them and the open storage of vehicles is therefore a characteristic of the area.

Whilst the proposed storage containers would result in some visual harm, it is not considered that this would significantly worsen the appearance of the site which features the open storage of vehicles. Furthermore, the context of the site has been taken into account, including the siting of containers on land immediately to the north of the site. As such, on balance the proposal is acceptable in terms of its visual impact and therefore accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on Heritage Assets

There is a grade II listed milestone on the opposite side of Wisbech Road, to the west of the site.

In assessing proposals of this nature, the Local Planning Authority must also ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

The NPPF expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the NPPF. Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets. Policy 29 is broken into five interrelated sections, with parts A, and B relevant here.

Policy 29A, relating to listed buildings, states: "Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

The council's conservation officer has not raised objections to the proposed development as it is not considered that the proposal would result in material harm to the milestone. It is considered that the proposal would not give rise to harm to the significance of the nearby listed building.

Impact on Residential Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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

The proposed operating hours for the storage containers have not been clarified within the submitted application form. During the determination of the previously refused application H11-0702-24, the applicant's agent set out within an email dated 06 March that the site was proposed to be accessed from 6am until 10pm each day.

It is presumed that the proposed hours remained unchanged. Therefore, customers could be visiting the site between these hours which could cause a degree of disturbance to any occupants within the dwelling within the site, as a result of customers visiting and leaving the site. It is not considered that this would significantly impact the amenity of occupants within the proposed dwelling within the site. For example, the storage containers would not generate significant levels of noise and the site is located next to a busy road which generates background noise.

The council's environmental protection team have not raised any objections to the proposals in terms of noise or disturbance to residential occupants within the site or the wider area.

The proposed dwelling contains approximately 62sqm of internal floor space. This accords with the nationally described space standard for a one-bedroom dwelling. No outdoor amenity space is demarcated on the submitted plan; however, there is likely to be room for a garden within the site.

Therefore. In terms of residential amenity, it is considered that the proposed development would accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

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 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

The existing vehicular access from Wisbech Road to the west of the site is proposed to be used for the proposed containers and the dwelling.

Lincolnshire County Council's highways team have set out 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. The team considers that the vehicle movements that would result from the proposed storage containers would be similar to caravan storage or as a car sales business.

Parking provision for customers and for the occupants of the proposed dwelling is not shown within the submitted site plan. Notwithstanding this, it is considered that there is room within the site for parking and turning.

Therefore, the proposal would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Flood Risk and Drainage

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

Paragraph 176 of the NPPF sets out that change of use applications should not be subject to the sequential or exception tests, however, applications should still meet the requirements for site-specific flood risk assessments. As the proposal is for a change of use to a convert the building within the site to a dwelling and to locate storage containers within the site, it is not considered necessary to apply the sequential or exception tests.

The site is within a low hazard area, as identified within the South East Lincolnshire Strategic Flood Risk Assessment (SFRA). The submitted Flood Risk Assessment concludes that in accordance with the SFRA, suitable flood risk mitigation measures would include requiring the finished floor levels to be set 0.3m above the existing ground level. These measures could be secured via a planning condition.

it is considered that the proposed development would accord with Policy 4 of the Local Plan and the Section 14 of the NPPF in terms of flood risk management.

The submitted application form indicates that surface water is proposed to be discharged via a soakaway and a sustainable drainage system. The feasibility of this has not been demonstrated at this stage. Further details of the drainage strategy could be secured via a planning condition.

Biodiversity Net Gain

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

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

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

Unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set. When taking the above into account, the development in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements.

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.

The proposed development in this instance would provide one dwelling, providing a very minor contribution to the supply of homes within the district and more specifically, Crowland. This is a minor contribution and is afforded limited weight. No employment is proposed other than for the applicant and as such there would be limited economic benefits of the proposals.

The local planning authority is able to demonstrate a supply of deliverable sites equivalent to in

excess of 5 years through the latest Housing Land Supply Assessment (5.5 years as of 31 March 2025). Furthermore, SHDC have scored at least 162% for the Housing Delivery Test over the last three years (Paragraph 1.4 of the 5YHLS Assessment). In accordance with Paragraph 232 of the NPPF, it is not necessary to apply the tilted balance in favour of sustainable development in the determination of the current application.

The proposed development does not accord with Policy 23 of the Local, specifically parts 2, 3 and 5 of the policy. The building that is proposed to be converted to residential use is not considered to be of architectural or historic merit, nor does it make a particularly positive contribution to the character of the landscape in order to justify its retention. The proposed residential use of the site is not considered to be in keeping with the surroundings of the site and the proposed development would not lead to an enhancement of the setting of the building. As such, the proposed development would not accord with Policies 23 of the Local Plan.

Therefore, the development would not accord with Policies 1 and 23 of the South East Lincolnshire Local Plan and the provisions of the NPPF when viewed as a whole. There are significant materials considerations that weigh against the proposal and as such, the planning balance is against 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 these factors into consideration, the proposal would be at conflict with Policy 1 and 23 of the South East Lincolnshire Local Plan. There are no significant factors in this case that would outweigh the benefits of the proposal. Therefore, the planning balance is against the proposal.

Recommendation

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