

**DECISION DELEGATED TO HEAD OF PLANNING**

**Application No:** H13-0058-25                      **Applicant:** Ms A Riley  
**Proposal:** Conversion of existing stable block to 2 self contained units to provide assisted living accommodation  
**Location:** Decoy Farm Fen Gate Moulton Chapel  
**Terminal Date:** 16th April 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
- 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
- 33                      Delivering a More Sustainable Transport Network
- 36                      Vehicle and Cycle Parking
- APPENDIX 6              Parking Standards

**National Guidance**

**National Planning Policy Framework December 2024**

**National Planning Policy Framework December 2024**

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making
- Section 5 - Delivering a sufficient supply of homes
- 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

**National Guidance**

**Representations:**

	Object	Support	No Obj.	Comments
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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
HISTORIC ENVIRONMENT OFFICER	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**

### **Description of Proposal**

The application seeks full planning permission for the conversion of an existing stable block into two self-contained units to provide assisted living accommodation.

The submitted plans show two proposed dwellings within the stable block, and the submitted application form indicates that the two market housing dwellings are proposed. As such, the proposals have been assessed as a proposal under Use Class C3, rather than Use Class C2 which can sometimes cover assisted living accommodation.

### **Site Description**

The site comprises land at Decoy Farm Fen Gate, which is located to the west of Fen Gate, Moulton Chapel. The site features an existing building which is accessed from Fen Gate. The submission sets out that the building has previously been used as a stable.

To the south of the site is Decoy Farm, which is a detached residential dwelling. Lenmar House is located to the north of the site, and this comprises another detached dwelling. There are other dwellings located on the opposite side of Fen Gate, to the east of the site. A food products supplier, Tulipland, is also located to the east of the site. The site is otherwise mostly surrounded by agricultural land interspersed with agricultural buildings and dwellings.

The site is outside any defined settlement boundary, as identified by the South East Lincolnshire Local Plan 2011-2036 and accompanying policies map.

The site is within Flood Zone 1, as identified by the Environment Agency's flood risk maps.

## Relevant Planning History

The following applications relate to land at Decoy Farm (not just the application site):

H13-1286-80: (Outline Application) Erection of dwelling and garage with access on land adjoining Decoy Farm, Fengate, Moulton Chapel - approved 21 January 1981

H13-0477-81: (Full Application) Erection of dwelling - approved 11 May 1981

H13-0184-98 (Full Application) Extension and alterations - approved 28 April 1998

H13-1186-06: (Full Application) Extension to front elevation and construction of entrance canopy - approved 17 October 2006

H13-0469-09: (S192 Lawful Development Certificate) Erection of detached double garage - refused 27 July 2009

H13-0600-09: (Full Application) Proposed detached double garage - approved 28 September 2009

Land to the east of the site:

H13-1174-15: (Outline Application) Residential development for 2 detached dwellings - refused 15 February 2016

## 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.

Environment Agency: No comments.

Lincolnshire County Council - Highways and SUDS: No objections. The proposal is for Conversion of existing stable block 2 self-contained units to provide assisted living accommodation which will utilise the existing access arrangements and sufficient parking and turning can be provided within the site to allow vehicles to enter and leave in a forward gear. Therefore, it does not have an impact on the Public Highway or Surface Water Flood Risk. No conditions or informatives are recommended

South Holland Internal Drainage Board: The applicant has indicated that they intend to dispose of surface water via soakaway, 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. I note that the applicant intends to treat foul waste using an existing 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. I note the presence of a watercourse which is not maintained by the Board (a riparian watercourse) adjacent to the eastern site boundary. There are no Board maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply.

Lincolnshire County Council - Historic Environment Team: It is noted that the applicant has not provided an assessment of the archaeological or heritage potential of the site, as outlined in the NPPF (paragraph 207). OS Map 1892-1914 in the HER (Historic Environment record) confirms that the existing stable block is an extant part of Monument record ML1123208 - Decoy Farm, Moulton: '19th century farmstead. The existing stable block on site is considered a non-designated heritage asset (NDHA) due to its distinctive construction. Documented examples predating the 1880s are rare, and stable blocks from 1880-1940 are referenced in Historic England's Agricultural Buildings: Listing Selection Guide (April 2011). These structures exhibit highly distinctive architectural features and hold significant heritage value. Nineteenth-century farmsteads contribute to local heritage by preserving the agricultural, architectural, cultural, and ecological history of the area, making them valuable assets for both present and future generations. Furthermore, this agricultural building is included in the Building the Evidence Base for Historic Farmsteads in Lincolnshire project, which mapped historic farmsteads predating the 2nd edition Ordnance Survey mapping of the early 1900s.

Conversion will have a significant impact on any surviving original fabric of the stable block. I recommend that if permission is granted, there be a condition for a mitigation strategy to effectively deal with this site. This will comprise a phased programme of mitigation work including, but not limited to, a level 3 historic building recording of the stable block, in accordance with Historic England's document 'Understanding Historic Buildings: A Guide to Good Recording Practice (2016)'. This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with NPPF paragraphs 207 and 218 and the South East Lincolnshire Local Plan (Policy 29).

Lincolnshire Fire and Rescue Service: I refer to the planning application reference H13-0058-25. The Fire Authority object to the application on the grounds of inadequate access. It is the opinion of the Fire Authority that in order to remove the objection the following measures are required. ACCESS Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 (As Amended) Part B5. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 (As Amended) Part B5.

Environmental Protection: I request a screening assessment form is completed and submitted with photographs of the site.

Moulton Parish Council: No response received.

Cllr T E Sneath: No response received.

Cllr A Casson: No response received.

Cllr A R Woolf: No response received.

Lincolnshire Bat Group: 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, one letter of was received within which queries were raised as to whether the proposed development will require access on neighbouring land, and whether any equipment will need to access neighbouring land to facilitate construction works.

### **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;
- Visual and Heritage Impact;

- Impact on Amenity;
- Highway Safety and Parking;
- Fire Safety;
- Biodiversity;
- Flood Risk; and
- Contamination.

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.

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.

Paragraph 84 of the NPPF also sets out that planning decisions should avoid the development of isolated homes in the countryside unless one or more of the paragraph circumstances apply (parts a to e). For example, if the design of the dwelling is of exceptional quality (part e).

Policy 23 is also relevant in this case as this policy relates to the re-use 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 criteria 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 proposed development is for the conversion of an existing stable block into two self-contained units to provide assisted living accommodation. No extensions are proposed and as such the building would remain the same in terms of its overall scale. The building features timber facades and the submitted plans indicate that the internal walls are proposed to be lined with insulation. It is unclear if this would be sufficient to ensure the building provides sufficient insulation and the application is not accompanied by a structural survey to demonstrate the feasibility of the proposed conversion. The proposed external works are however not significant and therefore the proposal potentially accords with part 1 of the policy.

In terms of part 2 of the policy, Lincolnshire County Council's Historic Environment Team considers that the barn was part of a 19th century farmstead and as such is considered to be a non-designated heritage asset due to its distinctive construction. The team have not objected in principle to the proposed conversion. It is therefore considered that the building is of architectural and historic merit which justifies its conversion in accordance with part 2.

In terms of part 3 of the policy, minimal external alterations are proposed and the site is already within the curtilage of a dwelling and appears to be part of the garden of Decoy Farm. It is therefore

considered that the proposed conversion would be in keeping with the site surroundings and would accord with part 3.

In terms of part 4 of the policy, it is proposed to inspect the existing timber cladding on the building and repair as necessary, and then coat the timber with three coats of Sadolins timber preservative or similar. It is also proposed to remove the existing felt roof tiles, inspect and repair the timber sub-base as necessary, and fit lightweight Decra or similar metal roofing sheers. Further details relating to the proposed roof materials would need to be provided to ensure the quality is suitable as it is unclear based on the submitted information. The facades of the building are proposed to be altered such as the insertion of new window and door openings. This would alter the character of the building to an extent, however, the impact of this is not considered to be adverse.

In terms of part 5 of the policy, the application is not accompanied by a suitably detailed site plan and it is therefore difficult to assess whether the proposal would lead to an enhancement of the setting or not. There is scope to include a scheme of hard and soft landscaping to enhance the setting of the site.

Overall, the proposed conversion is considered to accord with Policy 23. The principle of the proposed development is therefore acceptable. This is however subject to a consideration as to whether the proposed development accords with the development plan and national policy in terms of other material considerations.

### Visual and Heritage Impact

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.

As set out previously, the building is considered to comprise a non-designated heritage asset. Policy 29 of the Local Plan sets out that where a development proposal would affect the significance of a heritage asset (whether designated or non-designated), including any contribution made to its setting, it should be informed by proportionate historic environment assessments (part F). The proposed development is not accompanied by a heritage assessment. Section 16 of the NPPF also sets out guidance as to how proposals which could affect a non-designated heritage asset should be assessed and mitigated.

As set out above, the proposed external alterations to the building are not extensive. New window and door openings are proposed, and the roof is proposed to be updated and replaced. The visual impact of the proposals on the building is broadly acceptable subject to securing further details of the proposed materials. The submitted site plan is however insufficiently detailed as this does not show any of the soft or hard landscaping within the site. There are various trees and hedgerows within the site however this is not shown within the site plan. It is therefore difficult to assess the visual impact of the proposals in other respects.

### Impact on 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.

One of the proposed dwellings features approximately 33sqm of internal floorspace, and the other dwelling features approximately 27sqm. The nationally described space standard (NDSS) recommends that a minimum of 37sqm of floorspace is provided for a one-bedroom, one-person

dwelling with a shower room. Neither of the dwellings accords with this recommendation and it is considered that the proposed dwellings would not provide sufficient internal living space. This would result in a poor standard of living for future occupants. The applicant's agent has set out that the proposed dwellings would provide ancillary accommodation and that further living space would be provided within the main dwelling, which in this case is Decoy Farm. However, the application is for two independent dwellings, not ancillary accommodation and it is considered that there should be sufficient internal living space within the dwellings for occupants.

The applicant has provided amended plans which show an extension where the building overhang is located in order to provide additional floor space. The amended plans were not accepted as it was not considered that the amended plans fully addressed the overall concerns with the proposals. As such, the application has been determined based on the plans that were originally provided.

The proposed garden space for both dwellings is not demarcated on the submitted plans. Two patio areas are proposed next to each other next to the north-western elevation of the building. Whilst there could be room for amenity space within the site, this should be clarified within the submitted plans.

There would be suitable separation distances between the proposed dwellings and the nearest dwellings to avoid an unacceptable degree of overlooking. For example, no windows are proposed on the northern elevation of the building which faces onto the rear garden of Lenmar House. This also reduces the potential for overlooking between the properties. Furthermore, there is approximately 26m between the building and Decoy Farm and this is considered to be an appropriate separation distance.

The proposed dwellings would not feature sufficient internal living space and as such it is considered that the proposed development would be unacceptable in amenity terms. Therefore, the proposed development would not accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan as the proposals would not provide a high quality standard of living.

#### 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.

Vehicular access is provided for Decoy Farm from Fen Gate which is located to the south-east of the building within the site. No changes are proposed to the vehicular access.

Parking spaces are not shown within the submitted plan for the two proposed dwellings. Whilst there is likely to be sufficient room for two parking spaces within the shared driveway for Decoy Farm to serve the two proposed dwellings, this is not clarified within the submitted plans. The parking spaces are also likely to be outside the red line boundary. Whilst Lincolnshire County Council's highways team have not raised any objections or recommended any conditions, the parking spaces should be proposed within the red line boundary for the site for clarity and to ensure they are proposed and retained for the future use of the occupants.

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

## Fire Safety

Lincolnshire Fire and Rescue service have set out an objection to the proposed development as the proposal would not meet the requirements specific in Building Regulations 2010 (as amended) Part B. Building Regulations set out that there should be vehicle access for a pump applicant to within 45m of all points within the dwelling house (Part B5, 11.2). It has not been demonstrated that a fire engine can access the site, turn and reach all points of the proposed dwellings. As such, the proposed development could pose a risk in terms of fire safety. The proposed development would therefore not accord with Policy 3 of the Local Plan, which requires proposals to demonstrate how community safety will be maintained (part 8). There is also considered to be a conflict with Paragraph 102 of the NPPF which requires planning decisions to promote public safety (part a).

## Biodiversity

Section 15 of the NPPF promotes the conservation and enhancement of the natural environment. Paragraphs 187 and 192 set out that sites of biodiversity value should be protected. Paragraph 187(d) for instance sets out that planning decisions should provide net gains for biodiversity.

Policies 28 and 31 of the Local Plan ensure the preservation and enhancement of the natural environment and that suitable mitigation and adaptation to the climate crisis is in place. Policy 28 also requires proposals to provide a net gain in biodiversity.

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) introduced the requirement for applications to establish a 10% Biodiversity Net Gain (BNG), demonstrated through standard units.

The application is accompanied by a biodiversity net gain exemption statement. The applicant considers that the proposed development would fall under the de minimis exemption. For example, no extensions are proposed to the existing building to facilitate the conversion. The proposed patio area is proposed on land where there is some vegetation however, the patio area only comprises approximately 23sqm. The proposed development is therefore considered to have an acceptable impact in terms of biodiversity. The proposal would therefore accord with Policies 28 and 31 of the Local Plan and Section 15 of the NPPF.

## Flood Risk

The site is within Flood Zone 1, as identified by the Environment Agency's flood risk maps. Furthermore, the site is not identified with a hazard area within the South East Lincolnshire Strategic Flood Risk Assessment (SFRA) (2017). As such, the SFRA does not recommend any specific mitigation for the proposals. The development therefore satisfactorily accords with Policy 4 in the Local Plan which relates to assessing and mitigating proposals in terms of flood risk.

## Contamination

Policy 30 of the Local Plan sets out that proposals will be permitted, provided they would not lead to an unacceptable adverse impact on land quality and condition, taking into account any proposed mitigation measures. The council's environmental protection team have requested a contamination screening assessment form is provided. This has not been provided by the applicant and this is partly because the request was received after the consultation period ended. No extensions are proposed, and it is therefore unlikely that any foundations would be required to facilitate the conversion. The site already forms part of a garden and as such it is considered unlikely that there are significant contamination risks within the site.

## **Planning Balance**

As detailed above, 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 proposed dwellings would not provide sufficient internal living space as the proposed dwellings would not accord with the nationally described space standard. This would result in a poor standard of living for future occupants. The proposed development is therefore not considered to accord with Policy 3 of the Local Plan which requires proposals to demonstrate how residential amenity will be

protected and secured. The proposed development also would not accord with Paragraph 135 of the NPPF which requires development to provide a high standard of amenity for existing and future users (part f).

Lincolnshire Fire and Rescue service have objected to the proposed development and it is considered that there is insufficient information to demonstrate whether a fire engine can access the site, including all parts of the building that is proposed to be converted. The proposed development would therefore not accord with Policy 3 of the Local Plan, which requires proposals to demonstrate how community safety will be maintained (part 8). There is also considered to be a conflict with Paragraph 102 of the NPPF which requires planning decisions to promote public safety (part a).

The proposed development in this instance would provide two dwellings, providing a very minor contribution to the supply of homes within the district. This is a minor contribution and is afforded little weight. The proposed development would provide a minor economic benefit in terms of providing employment during the construction phase of the development. Similarly, this is afforded little weight. 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 (6.4 years as of 31 March 2024). Therefore, full weight can be attributed to the policies in the South East Lincolnshire Local Plan 2019.

In this instance, there are material considerations that weigh against the proposal and as such, the planning balance is in favour of refusal in this instance.

### **Additional Considerations**

#### Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

#### Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary

to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

### **Conclusion**

Taking the above considerations into account, the proposed development would fail to provide sufficient internal living space and would pose a risk in terms of fire safety. As such, the proposed development would conflict with Policies 2 and 3 of the Local Plan and sections 8 and 12 of the NPPF.

### **Recommendation**

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