DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0873-25**	**Applicant:**	**Elsoms Seeds Ltd**
Proposal:	Proposed Portable Cabin Building		
Location:	Otway Farm Spalding Road Pinchbeck		
Terminal Date:	7th November 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
07	Improving South East Lincolnshire's Employment Land Portfolio
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

Section 2 - Achieving sustainable development
Section 4 - Decision-making
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	1	0	0
WARD MEMBER	0	0	0	0

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

The application seeks full planning permission for a portable cabin building. The building is proposed to provide a staff area for members of Elsoms Seeds trials team.

Site Description

The site comprises land at Otway Farm, to the east of Spalding Road, Pinchbeck. The area where the building is located to the east of a brick boundary wall for Otway House which is a grade II listed building located to the south-west of the site. The site is also within Pinchbeck Conservation Area. There are various outbuildings located to the west of the site and an agricultural storage building is located to the south. There is a dwelling, Otway Farm, located to the north of the site. The area where the building is proposed comprises an area of concrete hardstanding.

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

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

Relevant Planning History

No planning applications have been submitted on the land where the building is proposed.

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.

Pinchbeck Parish Council: Pinchbeck Parish Council supports the application as it will assist in securing and sustaining local employment in a location appropriate for such development.

Conservation Officer: I wish to raise no objections to this proposal. The application site is within the setting of the Grade II listed Otway House. Reference to historic mapping of the site from 1948 would suggest that Otway Farm may be listed by curtilage association to Otway Farm. Nevertheless, Otway Farm is a functional agricultural enterprise that already features a number of functional, utilitarian C20th and C21st structures, and I do not believe that the addition of this small impermanent structure would tip the balance of the built form in the setting of the listed building/s to a collectively harmful state. Regardless, a form of 'less than substantial harm' is identified in this circumstance as portacabin style structures are clearly a non-historic and unsympathetic built form to the historic environment. However, the low level of less than susbtantial harm is effectively justified in my view by the business need, in conjunction with the nature of the ongoing operation on site. I would reccomend that should consent be granted, a condition ought to be applied making the consent temporary, such that the LPA does not accept that this type of built form does not become a permanent feature of the setting of the listed building. However, I would be satisfied with the life of the consent being fairly lengthy.

Lincolnshire County Council - Highways and SUDS: No objections. The proposal is for a portable building that will be a canteen for the business based at the site and it will not affect the public

highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application. Highways informative 08 is recommended.

Cllr S A Slade: No response received.

Cllr J Avery: No response received.

Cllr E J Sneath: No response received.

Ecology Officer: No response received.

Environmental Protection: 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 letters of representation 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;
-Visual and Heritage Impact;
-Impact on Amenity;
-Highway Safety and Parking;
-Flood Risk; 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.

The site is outside the settlement boundary of Crowland and as such, the site is 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.

Policy 7 of the Local Plan also supports the extension of existing businesses, including businesses outside defined settlement limits provided certain criteria are met.

Initially, the application was accompanied by insufficient information to justify the proposed building. Further information was requested from the applicant's agent and the applicant subsequently provided additional information. The applicant has clarified that the building is needed to provide an area for members of their trails team to take breaks. The trials area is located to the east of the site and according to the applicant, is used by a significant number of staff members throughout the year.

Elsoms Seeks corporate offices are located approximately 1.4km to the south of the site, making this an impractical option for members of the trials team to access. Whilst there are some existing buildings near to the site, these buildings are used for agricultural storage purposes and there is insufficient room for staff facilities within these buildings.

It is acknowledged that the building would serve an identified need for staff facilities to support an existing horticultural business. As such, it is considered that there are economic benefits that weigh in favour of the proposals, in accordance with Policies 1 and 7. Therefore, the principle of development is considered to be acceptable. Notwithstanding this, portable buildings are not generally considered to be appropriate forms of permanent development due to their appearance and materials of construction. As such, it is considered appropriate to include a condition restricting the development to a temporary basis. As set out above, this has also been suggested by the council's conservation officer to control the impact of the development on the setting of the grade II listed Otway House.

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.

Section 16 of the NPPF sets out the importance of assessing the impact of proposals on the setting of designated and non-designated heritage assets, to ensure that proposals preserve and enhance these assets. For example, Paragraph 212 of the NPPF sets out the following:

"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".

Paragraph 213 of the NPPF further sets out the following:

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification".

Policy 29 of the Local Plan (Section A, Part 3) sets out that proposals that would affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the

Listed Building. The policy also sets out that proposals within, affecting the setting of a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting.

The building is proposed to be located within a concrete hardstanding area. There is an existing agricultural storage building to the south and another building to the east of the site. The portable cabin building is proposed to measure 9.7m by 3.3m with a flat roof measuring 2.7m in height from the ground level. The building is proposed to feature light grey facades and grey aluminium window and door frames. Therefore, the building features a utilitarian appearance that is typical of portable buildings.

The site is within Pinchbeck Conservation Area and within the setting of the Grade II listed Otway House. Reference to historic mapping of the site from 1948 would suggest that Otway Farm may be listed by curtilage association to Otway Farm. Nevertheless, Otway Farm is a functional agricultural enterprise that already features a number of functional, utilitarian 20th century and 21st century structures. The council's conservation officer does not consider that the addition of the proposed building would result in significant harm to the setting of the listed building. The officer does, however, consider that a form of 'less than substantial harm' would result as portacabin style structures are clearly a non-historic and unsympathetic built form to the historic environment. However, the low level of less than substantial harm is justified by the business need in this case, in conjunction with the nature of the ongoing operation on site. As set out previously, the council's conservation officer has recommended that a condition is included restricting the development to a temporary use to prevent the structure from becoming a permanent feature of the setting of the listed building.

Whilst the proposal would result in less than substantial harm to the setting of Otway House, this harm is considered to be justified in this case. Furthermore, the harm would be limited to an extent by restricting the development to a temporary use. On balance, the visual impact is acceptable and the development would, therefore, accord with Policies 2, 3 and 29 of the Local Plan and Sections 12 and 16 of the NPPF.

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. The nearest dwellings to the area where the building would be located includes Otway Farm / 32 Spalding Road (to the north), and Otway House (to the south-west). The proposed building would be used by members of staff and inevitably this would result in a degree of disturbance; however, it is not considered that this increase would result in a significant adverse impact on the amenity of the nearest dwellings. Therefore, the proposed development accords with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in amenity terms.

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.

There is an existing vehicular access to the site from Spalding Road, to the west of the site. No changes are proposed to the access. Lincolnshire County Council's Highways Team have not raised any objections to the proposals in terms of highway safety. There is considered to be room within the site for parking for members of staff and no changes are proposed to the vehicular access to the site. Therefore, the proposal would have an acceptable impact in terms of highway safety. As such, the proposal accords with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

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.

When taking the above into account, the development is considered to be exempt from the statutory BNG requirement as the proposed would fall under the de minimis exemption.

Flood Risk

Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.

Policy 4 of the Local Plan sets out that development within Flood Zone 3 can be permitted in instances where specific criteria is met.

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

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Within the SFRA, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is not located within a hazard. As such, the SFRA does not recommended any specific mitigation in this case.

The proposed development is classed as a 'more vulnerable' use, according to Annex 3 of the NPPF. As the site lies within Flood Zone 3 and would comprise a less vulnerable use, the proposed development is required to pass the sequential test but not the exception test. The application is accompanied by a Flood Risk Assessment (FRA) which contains a section related to the sequential test. Planning Practice Guidance rquires a propoertionate approach to the application of the

sequential test. For example, Paragraph 027 sets out the following:

"In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied."

The proposed building would not increase the impermeable area within the site as it is proposed to be located on an existing area of concrete hardstanding. As set out above, no specific flood risk mitigation is recommended by the SFRA in this instance. Therefore, it is considered that the development passes the sequential test. In flood risk and drainage terms, the development satisfactorily accords with Policy 4 of the Local Plan and Section 14 of the NPPF.

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 development is appropriate and would not materially harm the character or appearance of the locality, or the amenity of nearby residents. The development would result in less than substantial harm to the setting the grade II listed building of Otway House; however, this harm is considered to be justified in this case due to the need to support an established horticultural business. The development is acceptable in terms of highway safety and overall the proposed development accords with the Local Plan and the NPPF.

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 proposed development accords with Policies 1, 2, 3, 4, 7, 29, 30 and 36 of the Local Plan, as well as Sections 9, 11, 12, 14 and 16 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

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