

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-0682-25 **Applicant:** Mr D Wing
Proposal: Change of use of agricultural building to dwelling
Location: The Rookery 171 Rookery Road Sutton Bridge
Terminal Date: 10th September 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

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
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks consent to establish if a prior approval application is required for the conversion of an agricultural building into one dwelling. Consent is sought under Schedule 2, Part 3, Class Q Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended). It has been established that prior approval is required, and as such it is necessary to assess whether prior approval should be granted.

Site Description

The application site comprises an existing building located on land at The Rookery, 171 Rookery Road, Sutton Bridge. The site is located in a rural location which is approximately 2.4km to the north of Sutton Bridge. The site features an L-shaped building and an existing vehicular access from Rookery Road, which is to the west of the site. There is an existing dwelling, 171 Rookery Road, located approximately 22m to the south of the site.

Relevant Planning History

H18-0179-25: (Prior Approval) Change of use of agricultural building to dwelling - refused 17 April 2025

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.

Lincolnshire County Council - Highways and SUDS Support: No objections. The proposal is for Change of use of agricultural building to dwelling which has sufficient parking and turning within the site to allow vehicles to enter and leave in a forward gear and it does not have an impact on the Public Highway or Surface Water Flood Risk.

Environmental Protection:

First Response (11 August 2025): I request a screening assessment form be completed and submitted with photographs for this location.

Second Response (08 September 2025): I have reviewed the screening assessment form dated 15/08/2025 with site photographs and request a precautionary land contamination condition be applied at this location, as follows: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority (LPA). An investigation and risk assessment must be undertaken in accordance with details to be agreed with the LPA. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the LPA. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by the LPA. No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA. Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

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

South Holland Internal Drainage Board: No response received.

Sutton Bridge Parish Council: No response received.

Clr C J T H Brewis: No response received.

Clr M D Booth: 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.

Planning Assessment

Whether the Proposal Comprises Permitted Development

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

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

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

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

"a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit"

(i) on 24th July 2023, or

(ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins"

- According to the application form, the site was part of an agricultural unit on 20 March 2013. As such this date is prior to 2023 and the site was part of an agricultural unit on 24 July 2023.

"b) in the case of a site that was (but is no longer) part of an established agricultural unit"

(i) the site was part of an established agricultural unit on 24th July 2023,

(ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or

(iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose"

- According to the application form, the site is part of an agricultural unit.

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

- The proposed dwelling features approximately 88sqm of internal floorspace. An external stairway and raised platform are also proposed to enable access to the dwelling. The floorspace of the external area is approximately 9sqm.

"d) The development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in"

(i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or

(ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres"

- According to the submitted application form, no work under the permitted development rights for the erection, extension or alteration of a building reasonably necessary for the purposes of agricultural has been carried out on the agricultural unit during the 10 year period before development begins. The proposed number of dwellings would not exceed 10, nor would the floorspace exceed 1,000sqm.

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

- According to the application form, the site is not occupied under any agricultural tenancy agreements.

"f) less than 1 year before the date development begins"

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use"

- According to the application form, no agricultural tenancies relating to the site have been terminated in the last year.

"g) Development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins"

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

"h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than"

(i) extension of the building allowed by paragraph Q.1(i);

(ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i)

- The proposal would not result in protrusions over 0.2m.

"i) the development under Class Q(b) would result in an extension that"

(i) has more than one storey,

(ii) is sited anywhere other than to the rear of the existing building,

(iii) extends beyond the rear wall of the existing building by more than 4 metres,

(iv) has eaves the height of which exceed the height of the eaves of the existing building,

(v) is higher than whichever is the lower of"

(aa) the highest part of the roof of the existing building, or

(bb) a height of 4 metres above the ground,

(vi) extends beyond a wall that forms a side or principal elevation of the existing building, or

(vii) would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and"

(aa) the hard surface was not provided on the land on or before 24th July 2023, or

(bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before the date development under Class Q(b) begins"

- An extension is proposed on the rear of the building comprising a raised platform area and stairs which is proposed to provide access to the building as raised floor levels are proposed within the building for flood risk mitigation purposes.

The proposals also seek to install a new roof on the existing rear extension on the building. The roof of the extension would measure approximately 4m from the ground level up to the ridgeline. This accords with part v)bb).

"j) the development under Class Q(c) would consist of building operations other than"

(i) the installation or replacement of"

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse, and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(j)(i)"

- National Planning Practice Guidance and case law make it clear that development under Class Q should not be so extensive as to amount to a 're-build'. On the western elevation, the existing doorway is proposed to be replaced with a window and timber cladding is proposed beneath the window. Also on the western elevation, the existing window opening will be glazed. On the southern elevations, two of the existing door openings will be changed into windows and an enlarged door

opening is proposed to allow access to building due to the proposed raised internal floor levels. On the eastern elevation, the existing window and door openings are proposed to be retained, however, the lower halves of the existing openings would be filled in with brickwork. One of the openings is proposed to be made larger and a dormer is proposed to accommodate this. The dormer is considered to accord with the allowance of Class Q as the height would not exceed 4m. On the western elevation, a new window is proposed. On the northern elevation, no new doorways or windows are proposed and as such this elevation should remain largely unchanged. According to the submitted Planning Statement, no changes are proposed to the existing brickwork or roof tiles as these materials will be reclaimed to match the existing.

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

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

l) the site is, or forms part of

(i) a site of special scientific interest;

(ii) a safety hazard area;

(iii) a military explosives storage area"

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

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

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

"(n) the building is a listed building"

- The building within the site is not listed.

"(o) the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it"

- The proposed dwelling would comply with the nationally described space standard.

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

- Access to the site is proposed from Rookery Road, to the west of the site. The access is already in place and does not need upgrading given that the proposal is only for one dwelling.

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

Paragraph Q.2 (1) states that where the development proposed is permitted under class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

- a. transport and highways impacts of the development,
- b. noise impacts of the development,
- c. contamination risks on the site,
- d. flooding risks on the site,
- e. whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order,
- f. the design or external appearance of the building, and
- g. the provision of adequate natural light in all habitable rooms of the dwellinghouses.

These matters are therefore assessed in turn below. It was considered that prior approval would be required due to the site's location within Flood Zone 3 and the site is within an area which has a hazard rating of 'Danger to All', according to the South East Lincolnshire Strategic Flood Risk

Assessment (SFRA) (2017). The SFRA requires proposals for residential development within this type of hazard area to consult the Environment Agency.

a. Transport and Highways Impact

The proposed access to the site is from Rookery Road, to the west of the site. There is an existing access to the site which would continue to be used and there is room for parking within the site. Lincolnshire County Council's (LCC's) highways team have set out that the proposed development is not expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network. The proposed development is therefore acceptable in terms of highway safety.

b. Noise Impacts

The site is mostly surrounded by agricultural land and there are agricultural buildings to the north and east of the site. There is also an existing dwelling located to the south of the site. The council's environmental health team have not set out any objections to the proposals on the basis of noise disturbance. The site is not located in an area that is likely to be subject to adverse levels of noise. It is therefore considered that future occupants would not be subject to an unacceptable degree of noise disturbance.

c. Contamination

The council's environmental health team have requested a contamination screening assessment form. This has been provided and the team have been re-consulted, however, an additional consultation response has not been received. The proposed works are not significant as the proposed external staircase would not require significant foundations. As such, it is considered that the risk of contamination is low and conditions to require further contamination information are not necessary in this instance.

0d. Flood Risk

The site lies within Flood Zone 3, as identified by the Environment Agency's flood risk maps. The site is also within a 'Danger to All' hazard area, as identified by the South East Lincolnshire Strategic Flood Risk Assessment (SFRA). The SFRA recommends that the Environment Agency are consulted on proposals for residential development within this type of hazard area. The Environment Agency previously set out an objection to the proposed development during the determination of application H18-0179-25. During the determination of the current application and following the submission of an updated Flood Risk Assessment (FRA), the Environment Agency have confirmed that they have no objections to the proposal subject to a condition requiring the proposals to be carried out in accordance with the FRA. With the inclusion of this condition, it is considered that the proposed development would be acceptable in flood risk terms.

e. Whether the Conversion is Impractical / Undesirable

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

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

The proposed floor levels would be set relatively high within the building for flood risk mitigation purposes. This would reduce the headroom within some areas of the building and future occupant might find the placement of windows at a low level inconvenient. However, it is not considered that the low headroom in some places and the inconvenient positioning of some of the windows would result in an unrealistic dwelling. Therefore, it is not considered that the proposed conversion would be impractical or undesirable.

f. External Appearance

Minimal external changes are proposed. Most of the existing door and window openings are proposed to be retained and some of these openings are proposed to be made larger. The visual

impact of this is acceptable. The existing materials are proposed to be retained and the visual impact of this is also acceptable. Replacement brickwork would be required on the rear of the building and this brickwork would need to match the existing brickwork as closely as possible in the interest of visual amenity. However, this area is located on the rear of the building and would therefore not be highly visible from the street scene.

g. Natural Light Provision in Habitable Rooms

Initially one of the bedrooms was not provided with a window. The plans were subsequently updated, and a window is now proposed for the bedroom. As such, the proposed plans show that all habitable rooms are provided with natural light and ventilation given the location of windows on the building.

Additional Considerations

Public Sector Equality Duty

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

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

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

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

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

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

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

Human Rights

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

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

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

Recommendation

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