DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H21-0767-25**	**Applicant:**	**Mr I Ashdown**
Proposal:	Proposed front extension and associated works		
Location:	Lords Barn Common Way Tydd St Mary		
Terminal Date:	8th October 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
29	The Historic Environment
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 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 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
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	1	0	0	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the erection of a front extension and associated works. The extension is proposed to measure 5.9m by 4.6m with a chimney breast on the western elevation. A gable end roof form is proposed, measuring 4.4 in height up to its ridgeline. The chimney breast would measure 6m in height at its tallest point. The extension is proposed to feature brickwork to match the brickwork of the host dwelling.

Site Description

The site is located within the Conservation Area for Tydd St Mary. The site is also located to the north of Tysdale Manor, a grade II listed building which is considered to be one of the area's most prominent historic buildings.

Lord's Barn would have originally formed part of the curtilage of Tysdale Manor. For this reason, this structure is considered to be curtilage listed. The building itself is a late 18th century / early 19th century barn, characterised by the prevalence of brick arches above window openings and also the extensive and visually obvious use of structural ties throughout its history.

The site is located within the settlement limit of Tydd St Mary, as identified by the South East Lincolnshire Local Plan 2011-2036, and the accompanying policies map.

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

Relevant Planning History

H21-0358-08: (Full Application) Change of use of agricultural building to use as either B1 business/light industrial or as holiday accommodation. Approved on 01 June 2009

H21-0359-08: (Full Application) Change of use of agricultural building to use as either B1 business/light industrial or as holiday accommodation - approved on 01 June 2009

H21-0794-10: (Full Application) Change of use of barn to form 2 dwellings including single-storey extension, demolition of 2 outbuildings and erection of 2 garage blocks - approved 19 January 2011

H21-0795-10: (Listed Building Consent) Change of use of barn to form 2 dwellings including single-storey extension, demolition of 2 outbuildings and erection of 2 garage blocks - approved 19 January 2011

H21-1104-13: (Discharge of Conditions) Details of Conditions 3, 4, 5, 6, 7, 8, 9, 11, 14 and 15 of H21-0794-10 - approved 28 May 2014

H21-1105-13: (Discharge of Conditions) Details of Conditions 3, 4, 5, 6, 7, 8, 9, 11, 14 and 15 of H21-0795-10 - approved 28 May 2014

H21-0306-17: Proposed development - 7 dwellings - refused 30 May 2017 - appeal dismissed 13 November 2017

H21-0657-21: (Full Application) Proposed satellite dish to rear of property - approved 30 September

2021

H21-0051-22: (Full Application) Proposed photovoltaic panels on southern elevation of garage - approved 07 March 2022

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS: No objections. The proposal does not have an impact on the Public Highway

South Holland Internal Drainage Board: Byelaw 3 (Surface Water) I cannot see that the applicant has identified a drainage strategy for the site within their application. We recommend a drainage strategy is provided for the site. If the applicant proposes to discharge surface water to a watercourse, 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 has not indicated how they propose to dispose of foul water from the 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 am not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary, however this should be confirmed by the applicant. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a 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 maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply.

Conservation Officer: I write to confirm my objection to this proposal. Lords Barn is a site that is considered to be listed by virtue of curtilage association to the adjacent Tysdale Manor, which is listed at a Grade II Level.

Para. 212 of the NPPF confirms;

"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."

This also de facto infers it is possible to classify forms of harm to the historic environment into 3 separate classes, those being; 'substantial harm', 'total loss' or 'less than substantial harm'.

Para 213 goes on to confirm;

"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."

Referring to the Local Plan, our attention is drawn to Policy 29 of the SELLP, which governs development in the context of the historic environment, and specifically Section A, paragraphs 1 and 3.

A(1) states;

"Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting."

Whereas A(3) also 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."

Referencing back to the above sections of the NPPF, it is necessary to identify if harm is an aspect of this proposal, and if so, how it would be categorised.

In this case, I consider that a risk of harm is presented by this application. This is because the existing building is an exceptionally high-quality and distinctive example of an historic former agricultural building with an as yet undisturbed continuous frontage. To add an extension on the frontage elevation would break up this otherwise uninterrupted frontage, harming the character of the asset. Moreover, whilst the quality of the proposed materials is much appreciated, the overall character of the design does not match well to the host property, and appearing slab sided from the south and west especially. This factor is exacerbated by the fact that the site and the proposed extension is/would be visible, albeit in only relatively constricted circumstances, within views from the public realm, featuring heavily within the context of the specifically listed Tydale manor. This means that the proposal, via its harm to the host property, and especially as discussed, within views from the south, would also risk harm to the setting of Tysdale Manor as a separate site.

In this case, however, the harm is identified as being 'less than substantial harm'. This is because 'Substantial Harm' is a high-test, and, as explained by Para. 018 of the PPG

"in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."

The proposal does not seriously affect any single 'key' element of the specific significance, and thus a 'significant harm' designation is not justified. Nonetheless, the proposal would be harmful to the general character of the asset, and to the readability of what remains a well-preserved original frontage.

In this case, in accordance with Para. 213 of the NPPF, I find that the justification for the proposal is not convincing.

Referring to P29A(1) and A(3) of the SELLP, for the above reasons, I do not consider the works to be in the interest of the site's preservation, and I do believe it would be prejudicial to the architectural interest in the listed building and its setting. For the same reason, the proposal does not preserve or better reveal the significance of the listed building. For these reasons, I must recommend that the application be refused.

Tydd St Mary 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.

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;
-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 within the settlement boundary of Tydd St Mary which is a Minor Service Centre. In this case, the proposal relates to the extension of an existing dwelling and other external alterations. Therefore, the principle of such development is appropriate, provided the development is acceptable 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 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 development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF, in that it 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.

The site is within Tydd St Mary Conservation Area and Tysdale Manor, a grade II listed building, is located to the south of the site. The site is considered to be curtilage listed due to its association with Tysdale Manor.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

Furthermore, in assessing proposals of this nature, the Local Planning Authority must 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.

In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

Policy 29 of the Local Plan sets out that 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 policy also sets out that proposals within a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting.

The NPPF sets out 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.

Paragraphs 212 and 213 of the NPPF set out the following:

"212. 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.

213. 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".

The site comprises Lord's Barn, which was converted into a dwelling after formerly being used as an agricultural building. Dame Barn, which is located to the north and is attached to Lord's Barn, was also converted after consent was given under applications H21-0794-10 and H21-0795-10. There is also a detached garage within the front driveway that features traditional materials, however, this is a more modern structure, given that it was constructed after being approved in 2011.

The extension is proposed to be located on the front elevation of the dwelling, which is on the western side of the building. The extension is proposed to measure 5.9m by 4.6m with a chimney breast on the western elevation. The extension is proposed to feature a gable end roof form, measuring 4.4m in height up to its ridgeline. The chimney breast would measure 6m in height at its tallest point. By comparison, the host dwelling measures 7.5m in height. The extension features blank facades, except on the northern elevation which features a combination of two smaller windows, and floor length glazing. As set out previously, Lord's Barn is characterised by the prevalence of brick arches above window openings. The extension does not propose similar features.

The council's conservation officer considers that the extension would result in less than substantial harm to the building. The officer considers that Lord's Barn is an exceptionally high-quality and distinctive example of an historic former agricultural building with an as yet undisturbed continuous frontage.

The proposed front extension would break up the otherwise uninterrupted frontage, harming the character of the asset. It is acknowledged that the proposal seeks to use matching materials; however, the overall character of the design does not match well to the host property.

The conservation officer considers that the extension would appear slab sided from the south and west especially. Whilst there is a degree of screening of the site from the nearest public viewpoints due to the location of other buildings and boundary treatments, the extension would nonetheless be visible from the street scene and the nearby area.

Therefore, it is considered that due to the harm that would result from the extension to its host property, this harm would also extend to the setting of Tysdale Manor.

It is not considered that there is clear and convincing justification for the less than substantial harm that would result from the proposals, as required by Paragraph 213 of the NPPF. The proposal would harm the architectural interest of the listed building and its setting, and the proposal does not preserve or better reveal the significance of the listed building.

Paragraphs 214 and 215 of the NPPF are also relevant in this case:

"*214. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*
a) the nature of the heritage asset prevents all reasonable uses of the site; and
b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
d) the harm or loss is outweighed by the benefit of bringing the site back into use.

215. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

In this case, it is not considered that the proposal would result in public benefits, given that the proposal is for a private residential extension. It is also not considered that the proposal meets any of the criteria of Paragraph 214 (parts a to d).

The proposed extension would fail to preserve or enhance the listed building of Tysdale Manor and its setting. Therefore, due to the design and appearance of the extension, the proposal is considered to be contrary to Policies 2, 3 and 29 of the Local Plan and Paragraphs 212, 213, 214 and 215 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

No windows are proposed on the southern elevation of the extension which faces to the south towards Tysdale Farm and Tysdale Manor. As such, the proposal would not result in an unacceptable degree of overlooking with properties to the south. Windows are proposed on the northern elevation of the extension. These windows would not face directly onto the nearest dwelling, which is Dame Barn. Therefore, it is not considered that these windows would result in an unacceptable degree of overlooking.

Furthermore, due to the scale and positioning of the extension, the proposal would not result in an unacceptable degree of overshadowing.

Therefore, the impact of the proposed development on the amenity of neighbouring properties and future occupants would be acceptable. As such, the proposed development accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Flood Risk

The site is within Flood Zone 3, however, the site is not within an identified hazard area, as identified by the South East Lincolnshire Strategic Flood Risk Assessment. As the proposal is for an extension, no specific flood risk mitigation is required in this instance.

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 in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements.

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 extension would fail to preserve or enhance the listed building of Tysdale Manor and its setting. It is considered that the extension would result in less than substantial harm to Tysdale Manor; however, the proposal does not present clear and convincing justification for this harm, as required by Paragraph 213 of the NPPF. The proposal would harm the architectural interest of the listed building and its setting, and the proposal does not preserve or better reveal the significance of the listed building.

Therefore, the proposal considered to be contrary to Policies 2, 3 and 29 of the Local Plan and Paragraphs 212, 213, 214 and 215 of the NPPF. In this instance, there are no material considerations that weigh sufficiently in favour of 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 the above considerations into account, the proposal is considered to be contrary to Policies 2, 3 and 29 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate in favour of the proposal and outweigh the harm that would be caused to Tysdale Manor, which is a designated heritage asset.

Recommendation

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