

DECISION DELEGATED TO HEAD OF PLANNING**DECISION DELEGATED TO HEAD OF PLANNING**

Application No: H23-0725-25 **Applicant:** Mr T Twigger

Proposal: Change of use of land to domestic & erection of workshop & stores

Location: Acorn Lodge Cranesgate North Whaplode St Catherine

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

30 Pollution

36 Vehicle and Cycle Parking

APPENDIX 6 Parking Standards

National Guidance**National Planning Policy Framework December 2024**

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 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

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

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

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the change of use of land to domestic use, and the erection of a workshop building and a store building.

The workshop is proposed to measure 20.5m by 8.5m. The building is proposed to feature a gable end roof form, measuring 5.1m up to the ridgeline, and 3.3m up to the eaves.

The store building is proposed to measure 12m by 6m. The building is also proposed to feature a gable end roof form, measuring 4.6m up to the ridgeline and 3.2m up to the eaves.

The buildings are proposed to be located to the north of the dwelling, Acorn Lodge, which is located within the site.

Site Description

The site comprises approximately 0.9 hectares of land at Acorn Lodge, Cranesgate North, Whaplode St Catherine. Acorn Lodge comprises a detached two storey dwelling. The site is surrounded by agricultural land.

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

The northern and eastern areas of the site are within Flood Zones 2 and 3, whereas the rest of the site is within Flood Zone 1, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H23-0321-07: (Full Application) Proposed two-storey extension - approved 08 May 2007

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.

Whaplode Parish Council: No comments.

South Holland Internal Drainage Board: The applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of this proposal has been evidenced. We recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. The Board recommend that any discharge is in line with the National standards for sustainable drainage systems (SuDS) published in June 2025. Further to the National Standards for SuDS, the Board's policy is to restrict discharges to 2l/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) The applicant's proposals will not require the disposal of foul water; therefore Byelaw 3 (Treated foul water) does not apply. Section 23, Land Drainage Act 1991 I note the presence of a watercourse which is not maintained by the Board (a riparian watercourse) adjacent to the northern and southern site boundaries. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and Byelaw 4). Byelaw 10 There are no Board maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply. We would like to make the applicant aware of the presence of a Board arterial watercourse F35 Hither Old Farm Drain - DRN197P3501 130 metres east of the site.

Lincolnshire County Council - Highways and SUDS: What is the distance between the sliding gate and the highway boundary? Waiting vehicles should be able to sit clear of the highway whilst waiting for the gate to open - 5m.

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

Environmental Protection: No comments regarding land contamination.

Holbeach Parish Council: No response received.

Cllr A C Beal: No response received.

Cllr P A Redgate: No response received.

Ecology Officer: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no 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;
- Design and Visual Impact;
- Impact on Amenity;
- Highway Safety;
- Flood Risk;
- 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.

In this case, the site lies outside any defined settlement boundary and evidently lies within the countryside. Policy 1 states that development in the countryside will be permitted that is necessary to such a location/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of its economic, community or environmental benefits.

The site comprises approximately 9,000sqm of land. The dwelling and existing garden are shown on the submitted plans as unhatched, whereas the area where the change of use is proposed is shown with green hatching. The existing dwelling and garden area comprises approximately 1,200sqm. As such, the proposed increase in the domestic curtilage of Acorn Lodge would be significant.

The submitted Justification Statement does not set out why the change of use to domestic land is required. For example, it is not considered that the existing garden land is substandard and there is considered to be sufficient land for garden space and outbuildings within this area. The statement also sets out that 'the current small garage and shed will be removed near the house as these are un-usable'. However, it is unclear why the new buildings could not be located within the existing garden area or nearer the footprints of the existing buildings.

The Justification Statement refers to the applicant's desire for a workshop for hobby activities such as woodworking and for the storage of machinery. Similarly, the store building is also proposed for storing machinery to maintain the land within the site. The proposed benefits to the amenities of the occupants of Acorn Lodge would be a private benefit, not a community benefit, as required by Policy 1.

It is not considered that the proposals would provide economic benefits. The proposals set out that a net gain of 10.29% can be achieved in terms of area habitat units. This is slightly above the mandatory 10% requirement and as such, it is not considered that there would be environmental benefits significantly above the minimum requirements.

Therefore, insufficient evidence has been provided to demonstrate a justified need for an extended garden of such as significant size. Furthermore, it is not considered that the existing garden area is deficient in terms of the amount of space that is available. The proposed change of use and the proposed buildings are not reasonably necessary in the context of Policy 1. Therefore, the proposal conflicts with Policy 1, which seeks to restrict development to that shown to be necessary.

Design and Visual 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.

Acorn Lodge comprises a detached two-storey dwelling featuring red brickwork and rendered facades. There is a two-storey rear extension and a detached garage to the north of the dwelling. There are no dwellings next to the site and the surrounding area comprises agricultural land that is flat and relatively open; however, the surrounding landscape is interspersed with ditches, hedgerows and some trees.

The proposed workshop building and the open fronted store building would be located to the north of dwelling, behind a hedgerow that is located along the site boundary next to Cranesgate North. The workshop is proposed to measure 20.5m by 8.5m. The building is proposed to feature a gable end roof form, measuring 5.1m up to the ridgeline, and 3.3m up to the eaves. The proposed store building is proposed to measure 12m by 6m. The building is also proposed to feature a gable end roof form, measuring 4.6m up to the ridgeline and 3.2m up to the eaves.

Both buildings are relatively large for outbuildings. For example, permitted development rights allow outbuildings to measure 4m in height when a gable roof form is used and both buildings would exceed this height allowance. Furthermore, the building footprints are considered to be relatively large. The workshop building footprint would cover an area of approximately 175sqm, which is much larger than the dwelling footprint which covers approximately 105sqm.

Outbuildings should generally be subservient and proportionate to the relevant host dwelling as their purpose is to provide incidental enjoyment to the dwelling. In this case, the proposed buildings would be of a large scale compared to typical outbuildings. The buildings are also proposed to be located on land that is considered to be within the countryside. Whilst the hedgerow that is located next to Cranesgate North would provide some screening, the buildings would still be visible from the street scene. Due to their scale and siting, it is considered that the buildings would have a negative impact on the character and appearance of the area.

The proposed materials are set out within the application form rather than on the elevation plans. The materials include brickwork up to 0.5m and natural wood cladding on the remainder of the elevations. Dark grey profile metal sheeting is proposed for the roofs, with uPVC windows and a large grey roller shutter door is proposed on the workshop building. The timber cladding would potentially respond positively to the rural character of the site, however, this would not override the overall concerns with the proposed siting and appearance of the buildings.

The proposed change of use of the land would harmfully domesticate the character and appearance of the site, which is within the countryside. Permitted development rights could be restricted for further domestic development, such as further outbuildings, which could further harm the character and appearance of the site and the surrounding area. However, the removal of such rights would not control domestic paraphernalia that would not constitute development. Such paraphernalia can be reasonably expected in a domestic setting and this could contribute to the harmful change in the character and appearance of the area. This would result in an overtly domestic appliance, which would harmfully contrast within the surrounding rural and undeveloped landscape.

The visual impact of the buildings, combined with the proposed change of use of the land would have a harmful effect on the character and appearance of the site and the surrounding area. As such, the proposals do not accord with Policies 2 and 3 of the Local Plan and Section 12 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.

There are no dwellings next to the site and the nearest dwellings are located approximately 270m to the north of the site. The proposed change of use of land to a domestic use is not expected to result in an adverse impact on the amenity of the nearest dwellings. Similarly, the proposed buildings would not result in any adverse effects in terms of the amenity of the nearest dwellings.

Highway Safety

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

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

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

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

The proposed development is not expected to result in an increased need for parking spaces. For example, the buildings are proposed to be used by the existing occupants of Acorn Lodge, rather than by the general public.

The proposals seek to close of an existing highway access and to install electric sliding gates within the site, near the other site access. Lincolnshire County Council's Highways Team have queried whether there would be at least 5m between the gates and the highway to allow room for vehicles to wait whilst the gates open. The gates would be approximately 6m from the highway and as such there would be sufficient room.

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.

Flood Risk

Policy 4 of the Local Plan allows for certain types of development within Flood Zones 2 and 3 in instances where specific criteria are met.

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.

Paragraph 176 of the NPPF sets out that some minor development and changes of use should not be subject to the sequential or exception tests. As the proposal is for a change of use and for the erection of two outbuildings, the proposed development is not required to pass the sequential or exception tests. Paragraph 176 does, however, still require proposals to meet the requirements for site-specific flood risk assessments.

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 within a hazard rating area and as the proposal is for a change of use and for the erection of two outbuildings, the SFRA does not require any specific mitigation in this case.

Therefore, it is considered that the proposed development accords with Policy 4 of the Local Plan and the intentions of the NPPF in terms of flood risk.

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.

The application is accompanied by a Biodiversity Net gain Assessment which concludes that the proposals can deliver a gain of 10.29%. Further details can be secured via a planning condition. Furthermore, according to the submitted information, no protected species are likely to be within the site or using the site as habitat.

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 proposal would result in the change of use of land within the countryside to provide a much larger garden area for Acorn Lodge. The proposed increase is significant, representing a disproportionate extension to the domestic curtilage of the site that is not justified in this case. For example, the development would not result in economic, community or environmental benefits to justify a departure from Policy 1 of the Local Plan.

There is not considered to be a justified need for an extended garden as the existing garden space is considered to provide ample outdoor amenity space for occupants. The proposed buildings are also considered to be excessively large compared with typical outbuildings.

The proposed development would therefore be contrary to Policies 1, 2 and 3 and in this instance, there are insufficient material considerations to justify a departure from the Local Plan. The planning balance is, therefore, 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 1, 2 and 3 of the Local Plan. There are no significant factors in this case that indicate in favour of the proposal and outweigh the harm that would result from departing from the Local Plan, including the settlement hierarchy.

Recommendation

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