DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0776-25**	**Applicant:**	**Mr J Bell**
Proposal:	Proposed Barn Conversion - Approved under H23-1116-21. Modification to Conditions 2, 10 and 12 to change the appearance of the windows and doors on the inner western elevation to aluminium instead of timber, insert a door instead of a window on the rear elevation, and to update the site plan to omit the former pigsty area		
Location:	Crown Farm Stockwell Gate West Whaplode		
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

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 5 - Delivering a sufficient supply of homes
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	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
RUBEN LOPEZ, HISTORIC	0	0	0	1

ENVIRONMENT OFFICER				
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks consent to vary conditions 2, 10 and 12 of permission H23-1116-21 to allow for amendments to the previously approved plans. The proposed changes include:

-Changing the appearance of the windows and doors on the inner western elevation to aluminium instead of timber;
-Inserting a door in place of a window on the rear elevation; and
-Updating the site plan to omit the former pigsty area.

Permission H23-1116-21 granted full planning permission for a barn conversion into a dwelling on 10 January 2022.

Site Description

The site is located on the northern side of Stockwell Gate West and features a range of traditional 19th Century farm buildings of brick construction, with a replacement fibre cement/asbestos roof. 4 Stockwell Gate is located to the east and Whaplode House (a grade II listed building) is located to the west. A row of dwellings is situated opposite the site on the southern side of Stockwell Gate West.

The site is located within to the settlement boundary of Whaplode, 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

H23-0799-06: (Full Application) Conversion of barn to B1 (business use) and two new vehicular accesses - refused 07 September 2006

H23-1041-17: (Outline Application) Residential Development - withdrawn 18 December 2017

H23-0050-18: (Full Application) Barn conversion to residential - approved 28 June 2018

H23-1116-21: (Full Application) Proposed Barn Conversion - approved 10 January 2022

H23-1029-22: (Discharge of Conditions) Details of ecological survey (Condition 16 of H23-1116-21) - approved 22 December 2022

H23-0547-23: (Discharge of Conditions) Details of scheme to deal with contamination and written scheme of archaeological investigation (Conditions 13, 14 & 18-20 of H23-1116-21) - approved 06 February 2024

H23-0185-24: (Discharge of Conditions) Details of external materials and construction management (Conditions 9 and 15 of H23-1116-21) - approved 24 April 2024

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.

South Holland Internal Drainage Board: Having screened the application, whilst the site in question lies within the Internal Drainage District of the South Holland Internal Drainage Board the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy. Therefore, the Board has no comments to make.

Lincolnshire County Council - Highways and SUDS: Changing the large glazing on south elevation on the kitchen/dining/lounge to aluminium in lieu of timber is not something that Lincolnshire County Council Development Management should be consulted on.

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. No objection to the modification of conditions 2, 10 and 12.

Environmental Protection: No comments regarding modifications to conditions 2, 10 and 12. Susan Armour's comment regarding land contamination still remains the same.

Whaplode Parish Council: No response received.

Cllr A C Beal: No response received.

Cllr P A Redgate: No response received.

Conservation 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 principle of development for the conversion of the building within the site to a dwelling has previously been found to be acceptable through the approval of permission H23-1116-21. This permission has since been implemented, following the discharge of various conditions. Therefore, there is no need to revisit the matter as to whether the principle of development is acceptable. The main considerations which are relevant in this case include the following:

-Visual and Heritage Impact; and
-Impact on Other Conditions.

These matters are considered in turn below.

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.

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".

Policy 29 of the Local Plan sets out within Section A, Part 3, 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.

In this case, there is a grade II listed building, Whaplode House, located to the west of the site. The site is located on the northern side of Stockwell Gate West and features a range of traditional 19th Century farm buildings of brick construction, which have been granted consent for conversion.

Overall, the proposal would remain largely unchanged and the main changes include the switch to aluminium bi-fold doors on the inner west elevation rather than the inclusion of timber framed doors. The other window and door frames would continue to feature timber frames. The relevant elevation is approximately 17m from the road, where it would be visible from the street scene. At this distance, it is considered that white aluminium frames would appear similar to white timber frames. As such, the proposed change is considered to be acceptable and the change would have an acceptable impact on the setting of Whaplode House.

Another proposed change is the insertion of a door in place of a window on the rear elevation. This elevation is not visible from the street scene and regardless, the visual impact of the change is acceptable.

Lastly, it is proposed to omit the former pigsty area from the proposed site plan. This part of the building was previously proposed to be demolished within the approved floor plans, however, the area was left on the approved site plan. The current application seeks to update the site plan to ensure all approved plans are consistent.

Impact on Other Conditions

The conditions included within the original permission H23-1116-21 have been reviewed and updated or removed as set out below based on the proposed changes, and also to reflect that some of the conditions have been discharged since the original permission was approved.

Condition 1 (Implementation) is proposed to be removed as the permission has been implemented and as such, this condition is no longer necessary.

Condition 2 (Approved Plans) is proposed to be updated to refer to the updated plans (now condition 1).

Condition 3 (Withdrawal of Permitted Development Rights) is proposed to be retained (now condition 2).

Condition 4 (Landscaping) is proposed to be retained and now refers to the updated site plan (now condition 3).

Condition 5 (Parking and Turning Room) is proposed to be retained (now condition 4).

Condition 6 (Compliance with Flood Risk Assessment) is proposed to be retained (now condition 5).

Condition 7 (Boundary Treatments) is proposed to be removed as this condition is not considered to be necessary.

Condition 8 (Brickwork) is proposed to be retained as the brickwork will continue to match the existing (now condition 6).

Condition 9 (Materials Schedule) is proposed to be changed to a compliance condition as this condition was approved under application H23-0185-24 (now condition 7).

Condition 10 (Door Details) is proposed to be retained as this condition still needs to be discharged (now condition 8).

Condition 11 (Window Details) is proposed to be retained as this condition still needs to be discharged (now condition 9).

Condition 12 (White Timber Windows) is proposed to be retained but updated to allow for the inner western elevation to feature aluminium frames (now condition 10).

Condition 13 (Contamination Assessment) was previously discharged under application H23-0547-23 and it was established that no further contamination investigation was needed. As such, the wording of this condition is proposed to be changed to require the site to be monitored for signs of contamination and only if contamination is found would further information be required to be submitted and agreed (now condition 11).

Condition 14 (Contamination Remediation) was previously discharged under application H23-0547-23 and as no remediation was deemed necessary, it is considered appropriate to remove this condition.

Condition 15 (Construction Management Plan) was approved under application H23-0185-24 and as such, it is proposed to change this condition to a compliance condition (now condition 12).

Condition 16 (Ecology Surveys) was discharged under application H23-1029-22 and as no protected species were found nor was any mitigation required, it is considered appropriate to remove this condition.

Condition 17 (Ecology Management Scheme) is proposed to be retained (now condition 13).

Conditions 18, 19 and 20 (Archaeology) were discharged under application H23-0547-23, and as such it is considered appropriate to remove these conditions as they are no longer necessary.

Condition 21 (Water Consumption) is proposed to be retained (now condition 14).

Lastly, no legal agreement was provided for permission H23-1116-21 and as such, it is not necessary to update any legal agreements.

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 development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. The proposed development therefore accords with the Local Plan and the NPPF. In this instance, there are no material considerations that weigh against the

proposal and as such, the planning balance is in favour of 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 accord with Policies 1, 2, 3, 4, 29 and 36 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

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