

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-0893-25 **Applicant:** Mr & Mrs P Parnell
Proposal: Change of Use of Agricultural Building to Dwelling
Location: Hither Hold Farm Further Old Gate Whaplode
Terminal Date: 17th December 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Town and Country Planning (General Permitted Development) Order 2015:

- Schedule 2, Part 3, Class Q - Agricultural buildings to dwellinghouses

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	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks consent to establish if prior approval is required for the conversion/change of use of an agricultural building into a dwelling.

Consent is sought under Schedule 2, Part 3, Class Q of the 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 site is located outside any defined settlement boundary and is considered to be in the open countryside in planning terms, as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP).

Hither Hold Farm is in the postal area of Whaplode St Catherine and is in a very rural and agricultural setting. On site currently there are two separate buildings which both appear to have been used for agricultural purposes over the years.

History

No relevant site history.

Consultation Responses

Whaplode Parish Council

No comment.

South Holland Internal Drainage Board

Byelaw 3 - Consent may be required

Section 23, Land Drainage Act 1991 - Consent may be required

Byelaw 10 - Not Applicable

Lincolnshire County Council Highways Authority

Recommendation No objection:

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

Change of Use of Agricultural Building to Dwelling including Rear Extension - the parking and turning demonstrated is satisfactory for a dwelling of this size. The access exists but is to be upgraded to Lincolnshire County Council Specification and is detailed on the proposed site plan. The proposal will not have an adverse impact on the public highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning

application.

Informatives:

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Comments after Amendment(s)

I am content that the changes do not constitute a change to my response dated 21/10/25.

Lincolnshire County Council Historic Places

Thank you for consulting us on this.

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Comments after Amendment(s)

We reiterate our previous comments dated 10-10-25.

Also, No objection to amendment 1.

South Holland District Council Environmental Protection

I request a screening assessment form be completed and submitted with photographs. This form is available at:
<https://www.sholland.gov.uk/article/11653/Planning-application-consultations>.

Comments after Submission of Screening Assessment Form

I have reviewed document 4380-25 Planning Statement (part of Amendment 2) for screening information and information about this location. I request a standard land contamination condition be applied at this location.

Public Representation

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 Considerations

Permitted Development

Q. Development consisting of -

(a) a change of use of -

(i) a building that is part of an established agricultural unit and any land within that building's curtilage, or

(ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage, to a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order,

(b) development referred to in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a), or

(c) development referred to in sub-paragraph (a) together with building operations reasonably necessary to convert the building referred to in sub-paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule or to extend that building.

Q.1. Development is not permitted by Class Q if -

(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.

The application form outlines that the site was part of the established 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

The Planning Statement discusses that the barn is on land which has been occupied for the purposes of agriculture on or before the 24th July 2023 and therefore accords to these requirements.

(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 internal floor space measure at around 93 square metres.

(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

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

The Application Form states that the site is not currently 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

Again, the Application Form states that no agricultural tenancy agreements have been determined in the year before development is proposed to begin for the purposes of carrying out the proposed change of use.

(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 external dimensions would not exceed beyond the external dimensions of the existing building.

(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

The development, further to the amendments submitted during the application, does not result in any extension.

(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),

The development would not consist of any building operations other than those outlined above. It also does not propose the partial demolition of any part of the existing building on site.

(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 is not a listed building.

(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 2015⁶⁴ as read with the notes dated 19th May 2016 which apply to it, or

The proposed dwelling would comply with the National Described Space Standards.

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

There is an existing access off Further Old Gate, this access is considered to be suitable providing that it be upgraded to LCC Specifications. A condition has been applied to ensure this is the case.

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.

Q.2. - (1) Where the development proposed is development under Class Q(a) together with development under Class Q(c), 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 Schedule 1 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, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.*

a - Transport and Highways Impact

Lincolnshire County Council Highways have raised no objections to the scheme in this instance and have stated that 'the parking and turning demonstrated is satisfactory for a dwelling of this size'. Furthermore, the access should be upgraded to LCC Specifications, as stated previously a condition has been added to the decision notice to ensure this is carried out satisfactorily. Overall, the proposal is not considered to have an adverse impact on the public highway.

Two further informatives will be attached to the decision notice.

b - Noise Impacts

The potential for noise impacts will be relatively low due to the sparse number of residential dwellings in the immediate areas. The wider area is dominated by large open agricultural fields with the only residential properties being 'Hither Hold Farm' itself, 'Kador Cottage' and 'Fur Cottage'. The closest of these three would still be over 70m to the south west. 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 Risks

A Screening Assessment Form was requested by Environmental Health to be submitted alongside photographs. Once this had been completed and submitted, Environmental Health then requested that a standard land contamination condition be applied on site. Should the application be approved this condition will be attached to the decision notice. As such, at this stage it is considered that the

contamination risk is somewhat unknown as further detailed information is required. This is a condition which would need discharging in any case meaning development would not be able to start until this is discharged and the contamination risk is noted as low.

d - Flood Risk

The site is within Flood Zone 3 of the Environment Agency's flood maps but is within an area of no hazard/low hazard as identified within the South Holland Strategic Flood Risk Assessment. The probability of flooding from localised drainage systems is low with the topography of the site further reducing the risk. It should be noted that the failure of Little Holland Pumping Station could lead to an increased level of risk within the IDB catchment. The overall probability of the site flooding from any EA system is less than 0.5% annually due to the existing flood defences on site, over time there will be a gradual increase due to climate change. Finally, the site is not at risk during a breach of the tidal defences.

Due to the low level of flood and subsequent flood risk, it has been recommended that the finished floor level of the dwelling be set at 0.3m above surrounding ground level with a further 0.3m of flood resilient (recovery) construction above the finished floor level as well.

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 layout of the property following the conversion would allow it to be practically used and the features would also help towards this. Furthermore, the location is also considered to make it somewhat desirable through the rural nature of the site. As such, the conversion would not be impractical or undesirable.

f - Design and External Appearance

The external materials have been listed as the existing blockwork being over-boarded with timber cladding and blocking up various openings. The roof would be constructed from zinc standing seam with black aluminium windows and doors and black metal rainwater goods. Whilst these materials would feature a change to the existing barn, due to the rural location and concealment from the highway there would be no material harm caused to the wider area.

g - Natural Light in Habitable Rooms

Each habitable room has at least one window to ensure that adequate natural light be provided alongside suitable 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.