DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-1046-24**	**Applicant:**	**M Kirk**
Proposal:	Proposed three bay oak framed Cart Lodge, replacement of perimeter boundary with estate railing, various hard and soft landscaping alterations, relocation of existing oil tank and erection of timber summerhouse		
Location:	Pipwell Manor Washway Road Saracens Head		
Terminal Date:	30th April 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
28	The Natural Environment
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 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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

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

CASE OFFICER ASSESSMENT

Proposal

Planning permission is sought for the construction of a detached 3-bay oak car port along with a detached octagonal timber summerhouse located adjacent to the eastern boundary of the site. The scheme also seeks to relocate the existing oil tank to the south of the dwelling, screened by trellis and planting. In addition, fencing to the north and western boundaries will be replaced with 1.2metre high metal estate railings and the garden area to the west of the house is to be landscaped.

A separate application seeking listed building consent for the works has been submitted and is being considered concurrently under application reference H23-1048-24.

The following documents form part of the application:

Heritage Design Statement December 2024.
Flood Risk Assessment.

Site Description

Pipwell Manor is a Grade II listed former manor and farmhouse, comprising a two-storey dwelling of brick construction under a concrete tiled roof, with associated outbuildings located to the rear. The dwelling is situated within the settlement of Saracens Head, and the site is located within Flood Zone 3. The property is set within landscaped gardens, the trees to the site frontage are safeguarded by a Tree Preservation Order.

The property was listed on 30th June 1966 and the list description reads:

"Farmhouse. Late C18. Red brick. Concrete tiled roof with brick coped gables and 2 gable stacks, 2 storeys, 5 bay front with central doorway with fluted pilastered doorcase, entablature, cornice, overlight and panelled door. Above are 3 glazing bar sashes flanked by outer, single, blind panels. All openings and blind openings with segmented heads."

History

H23-0997-24: Proposed garden room extension and alterations. Approved: 26.03.2025.

H23-0998-24: Listed building consent for proposed garden room extension and alterations. Approved: 26.03.2025.

H23-1092-24: Proposed wall with wrought iron railings and gate. Approved: 01.04.2025.

H23-1093-24: Listed building consent for proposed wall with wrought iron railings and gate. Approved: 02.04.2025

Consultation Responses

Responses Received (consultation period between 17th December 2024 and 10th January 2025).

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirely through the South Holland website can be summarised as follows:

Whaplode Parish Council

No response received.

Highways and Lead Local Flood Authority

No objection. The proposed development would not be expected to have an unacceptable impact on highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk.

Historic Environment Officer: Lincolnshire County Council

The proposed development is located in an area with roman and medieval and modern archaeological potential. There is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction. It is recommended that if permission is granted, there is an archaeological condition for a mitigation strategy which should comprise a phased programme of archaeological mitigation works, including but not limited to a watching brief to enable any remaining archaeology which currently survives on the site to be recorded.

South Holland Internal Drainage Board

Recommend a drainage strategy is provided for the site.

Public Representation

The application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance two letters of representation have been received (both from the same address), the main issues referred to are:

Concern raised at the proposed new siting of the oil tank, which indicates the tank directly under the canopy of several large Oak and Beech trees.
Concern that there could be damage to the trees from flammable liquid which may cause a fire and the danger to nearby property.

Planning Considerations

- Principle of Development and Sustainability.
- Heritage Considerations.
- Layout, Design and Layout on the Character of the Area.
- Impact on Neighbouring Residents.
- Highway Safety and Parking.
- Flood Risk Considerations.
- Foul and Surface Water Drainage.
- Biodiversity Net Gain.

Evaluation

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.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, concerns whether to grant planning permission for development which affects a listed building or its setting and requires special regard to be had to the desirability of preserving the building or its setting or any features of special or architectural interest which is possesses.

Principle of Development and Sustainability

The National Planning Policy Framework (Framework) December 2024 sets out the Government's planning policies for England and how they should be applied. It advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; an economic objective, a social objective, and an environmental objective, which are interdependent and should be pursued in mutually supportive ways.

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

The application site is located within Saracens Head, defined under Policy 1 (Spatial Strategy) as 'Other Service Centres and Settlements'. The Policy advises that within the settlement boundaries of the 'Other Service Centres and Settlements', development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

Pipwell Manor is located within the settlement boundary of Saracens Head and the proposal seeks the construction of a detached car port and summerhouse along with the provision of new railings to the boundary. There will be economic benefit through the construction phase of the development and social benefit through meeting the needs of the occupants of the dwelling, which collectively serve to support the sustainability of the settlement.

The principle of the proposal therefore accords with the requirements of Policy 1 of the South East Lincolnshire Local Plan (2019) subject to the consideration of all other material factors which are assessed in the sections below.

Heritage Considerations

The Effect of the Proposal on the Special Interest, including the Setting of the Listed Building

The Framework, at paragraph 202, advises heritage assets are an irreplaceable resource and should be conserved in a matter appropriate to their significance. Further stating, at paragraph 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."

Policy 29 of the South East Lincolnshire Local Plan (2019) advises that to respect the historic legacy, varied character and appearance of South East Lincolnshire's historic environment, development proposals are required to conserve and enhance the character and appearance of designated and non-designated heritage assets.

Policy 29(A1) states:

Proposals to change the use of a listed building or 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.

Whilst the listing 'details' cites the front elevation features; listings are primarily for identification purposes and do not provide an exhaustive or complete description of the buildings special interest. In this context, it is considered the listed buildings' special interest and significance is mainly derived from its historic and architectural interest as a notable 18th century domestic property on the main

route through Saracens Head.

The proposal seeks permission for the construction of a 3-bay timber car port with a pitched roof along with a timber summerhouse. The structures will be located adjacent to the eastern boundary of the site and will be set back from the front elevation of the host dwelling.

In terms of scale and size, the car port and summerhouse represent subservient domestic additions to the host dwelling and given the use of timber for their construction, will not compete with the architectural quality and design of the listed dwelling house.

The scheme also seeks to relocate the existing oil tank adjacent to the front boundary of the property, this will be screened from public vantage points by trellis and soft landscaping. Although positioned forward of the host dwelling, the siting of the oil tank is adjacent to substantial trees which visually serve to screen the structure. Moreover, given its modest size and scale along with the presence of trellis screening, the oil tank will have little visibility when viewed in the context of established boundary treatment and will not detract from nor detrimentally affect the setting of the listed building.

To the north and western boundaries, the existing timber fence will be replaced with metal estate railings. This form of boundary treatment is considered appropriate in the context of the listed building and its setting along with the surrounding rural character of the area.

The proposal would preserve the Grade II listed building and its features of special architectural and historic interest which it possesses and would therefore satisfy the requirements of section 66(1) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. The proposal would also accord with Policy 29 of the South East Lincolnshire Local Plan (2019) which requires development proposals to conserve and enhance the character and appearance of designated heritage assets.

Archaeology

The Framework advises, at paragraph 207, where a site on which development is proposed includes, or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment, and where necessary, a field evaluation.

Policy 29(C4) of the South East Lincolnshire Local Plan (2019) states wherever possible and appropriate, mitigation strategies should ensure the preservation of archaeological remains in-situ. Where this is either not possible or not desirable, provision must be made for preservation by record according to an agreed mitigation scheme for investigation submitted by the developer, undertaken by a suitably qualified person and approval by the local planning authority.

The County Archaeologist advises the proposed development is located in an area with roman, medieval and modern archaeological potential. It is further stated the proposed development groundworks and temporary works associated with the development will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present. It is advised there is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction.

The County Archaeologist therefore recommends a pre-commencement condition, comprising a phased programme of archaeological mitigation work including, but not limited to a continuous archaeological monitoring (watching brief) to enable any remaining archaeology which currently survives on the site to be properly recorded prior to its alteration or destruction. The applicant has agreed in writing to the recommended pre-commencement condition.

The proposal provides appropriate mitigation to ensure any archaeological remains are recorded prior to commencement of development, and therefore accords with Policy 29 of the South East Lincolnshire Local Plan (2019) and the Framework, which require an appropriate assessment of the potential impact of development proposals on archaeology.

Layout, Design and Impact on the Character and Appearance of the Area

The Framework advises, at paragraph 131, good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development

acceptable to communities.

Policy 2 of the South East Lincolnshire Local Plan (2019) 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. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), 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.

Visually, the car port and summerhouse will appear as subservient, ancillary structures to the existing property, and given that they will be set back from the highway there will be no detriment caused to the character and appearance of the area.

The proposed oil tank is to be appropriately screened and given its overall size and scale along with the presence of established planting will have limited visibility within the street scene. The concerns raised by representations received at the siting of the oil tank under the canopy of established trees is acknowledged, however, given that no digging of foundations are required for the installation of the oil tank the proposal would not affect the root protection area of the trees, and therefore retain the amenity value of the trees.

The metal estate railings to the north and western boundaries are of an acceptable design and appropriate to the rural character of the area.

The proposal would serve to safeguard the character and appearance of the area and in this regard would accord with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) along with advice contained within Section 12 of the National Planning Policy Framework (December 2024).

Impact upon Residential Amenity and adjacent Land Users

The Framework advises, at paragraph 135, development should create places with a high standard of amenity for existing and future users.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed structures are located sufficient distance from neighbouring properties to ensure there is no detriment caused to the level of amenity which the occupants of these dwellings currently enjoy, in terms of overlooking, loss of light or creating an overbearing or enclosing impact.

The concerns of representations received at the potential for flammable liquid from the oil tank to cause a fire are acknowledged; however, it is for the applicant to ensure the oil tank is installed in accordance with health and safety requirements, such regulations are beyond the legislative powers of the planning system.

The proposal accords with the provisions of the Framework and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Paragraph 116 of the Framework advises that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, considering all reasonable future scenarios.

Policy 2 of the Local Plan states that proposals requiring planning permission will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 of the Local Plan 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.

Further, Policy 36, to be read in conjunction with Appendix 6, of the South East Lincolnshire Local

Plan (2019), sets out minimum vehicle parking standards required for development proposals.

The highway authority has no objections to the proposal, it is advised there is sufficient parking and turning within the site to ensure that the development will not have an adverse impact on highway safety.

The proposal would therefore accord with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 9 of the National Planning Policy Framework (2024).

Flooding Considerations and Surface Water Drainage

Paragraph 170 of the Framework advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Further stating, where development is necessary in such areas the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 176 states that applications for some minor development and changes of use should not be subject to the sequential test nor the exceptions test. Footnote 62 clarifies that minor development includes householder development.

As this application seeks permission for the construction of ancillary domestic buildings associated with an existing residential property under the terms of Footnote 62 a sequential test or exception test is not required.

However, as the site is located within Flood Zone 3, as paragraph 176 advises, the proposal should still meet the requirements for site-specific flood risk assessments set out in Footnote 63.

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.

Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

As part of the application a Flood Risk Assessment has been submitted. This advises the site is outside of any of the identified hazard areas on the South East Lincolnshire SFRA Residual Flood Hazard Map for the 1% fluvial and 0.5% tidal event. It is also outside the area at risk of flooding on South East Lincolnshire SFRA Residual Peak Depth Map for the 1% fluvial and 0.5% tidal event.

In addition, the FRA states a general principle for flood resilient design is to use durable materials that have good resistance to water and moisture.

South Holland Internal Drainage Board advise a drainage strategy for the surface water from the cart lodge and summerhouse are required, further stating, if the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. It is considered that such required can be addressed by an appropriately worded condition.

The car port and summerhouse are of timber construction with the former having an open frontage. The design of the buildings assist in ensuring the development is made safe for its lifetime and subject to the submission and approval of an acceptable drainage strategy will not increase the risk of flooding elsewhere.

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is required under a statutory framework introduced under Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) and 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.

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.

For applications that are submitted prior to the introduction of this requirement, the development would exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

The proposal seeks permission for the construction of ancillary domestic buildings associated with an existing residential property. Householder applications as defined within article 2(1) of the Town and Country Planning (Development Management Procedure) (England)Order 2015 are exempt from the requirement to provide mandatory Biodiversity Net Gain.

Article 2(1) defines householder applications as an application for planning permission for development of an existing dwellinghouse or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse.

As the submitted application accords with this definition the proposal satisfies the statutory householder development exemption ands is not required to provide mandatory Biodiversity Net Gain.

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 application site is within a sustainable location within the settlement boundary. There would be economic benefit through the construction of the development and social benefits in meeting the householder need through the construction of additional domestic facilities, to which moderate weight is attached.

The proposal will not cause detriment to the setting, historic value or architectural integrity of the listed building, nor will there be detriment to the character and appearance of the area. The level of amenity currently afforded to neighbouring property will be safeguarded and the proposal will not have adverse effects in terms of highway safety or flooding risks.

The proposal accords with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with policies 1, 2, 3, 4, 28, 29 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework(December 2024). The 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.

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.

Recommendation

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