

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-1092-24 **Applicant:** M Kirk
Proposal: Proposed wall with wrought iron railings and gate
Location: Pipwell Manor Washway Road Saracens Head
Terminal Date: 7th 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	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER 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."

Proposal

Pipwell Manor is currently accessed via a shared driveway to the eastern boundary of the dwelling. The proposal seeks to create a new vehicular access onto Washway Road, directly serving Pipwell Manor.

The access will be bound by a low brick wall topped with wrought iron railings along with wrought iron gates with brick piers set back from the highway. The low brick wall and wrought iron railings will continue along the site frontage, replacing an existing white picket fence.

A separate application seeking listed building consent for the works has been submitted and is being considered concurrently under application reference H23-1093-24.

The following documents form part of the application:

Heritage Impact Assessment: December 2024
Flood Risk Assessment

History

H23-0046-21: Change of use from Residential Institution(C2) to Residential. Approved 23.02.2021.
H23-1238-19: Listed building consent to replace internal door to external grade and install a second external grade door. Approved 20.02.2020.
H23-0173-19: Replacement conservatory. Approved 11.04.2019.
H23-0172-19: Replacement windows: Approved 11.04.2019.
H23-0171-19: Proposed landscaping scheme: Approved 11.04.2019.
H23-0395-19: Listed building consent for replacement windows, landscaping and conservatory.

Consultation Responses

Responses Received (Consultation period between 16th January 2025 to 6th February 2025)

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

Whaplode Parish Council

Supports the application and has no comment to make.

Highway Authority and Lead Local Flood Authority

The proposal should include access construction, this is the C774 and this needs to form part of the

planning application.

Visibility should be provided in accordance with Manual for Streets and a note should be added to the proposed site plan to state the access will be constructed to Lincolnshire County Council Specification.

Historic Environment Officer

Having reviewed the application documents and the updated 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.

Responses Received within Re-consultation (7th February 2025 to 28th February 2025)

Highway Authority and Lead Local Flood Authority

Recommends conditional approval.

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.

Key Planning Considerations

The main issues and considerations in this case are (but not limited to):

Principle of Development and Sustainability.
Heritage Considerations.
Layout, Design and Impact on the Character of the Area.
Impact on Neighbouring Residents.
Highway Safety and Parking.
Flood Risk Considerations.
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 it 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 seeks alterations to the property. There will be economic benefit through the construction of the access, walls and wrought iron railings and social benefit through meeting the requirements 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 Framework, at paragraph 202, advises heritage assets are an irreplaceable resource and should be conserved in a manner 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 property is currently served by a shared access located adjacent to the eastern boundary of the site. The proposal seeks the construction of a new vehicular access onto Washway Road to serve Pipwell Manor. As part of the scheme wrought iron gates and brick piers will be constructed, set back from the highway. The access will be bounded by a low brick wall topped with wrought iron railings which will continue along the site frontage, replacing a white picket fence.

The proposed access and gates will be positioned adjacent to the eastern boundary of the site and will not detrimentally affect the setting of the listed building.

The provision of a low boundary wall and railings along the site frontage will retain the visibility and prominence of the historic building within the street scene. Moreover, the replacement of the

existing white painted picket fence with wrought iron railings will serve to positively enhance the setting of the listed building.

The proposal would positively enhance the setting of the Grade II listed building and preserve 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 seeks 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.

Layout, Design and Impact on the Character 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.

Low walls and hedges typically define the frontages of dwellings along Washway Road. Whilst the provision of railings would not reflect the prevailing character, the white painted picket fence currently represents a stark contrast to the verdant appearance of the street scene. The proposed low boundary wall will reflect the character of the area and whilst iron railings are not prevalent in the street scene, given that they will not create a solid boundary treatment to the site frontage, it is not considered that the wrought iron railings would detrimentally affect the character of the area. Moreover, whilst high gates are proposed, these are set back from the highway, reducing their visual presence and their open design retains the open view of the garden area beyond.

The proposal would serve to safeguard the existing 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 on Neighbouring Residents

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 gates, piers, boundary wall and railings and located sufficient distance from neighbouring properties to ensure there is no detriment caused to 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.

In this regard 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 initially requested further information. It was advised the proposal should include access construction, stating the C774 should form part of the planning application. In addition, the highway authority advised it should be demonstrated that visibility can be achieved in accordance with Manual for Streets and a note should be added to the proposed site plan to confirm the access will be constructed to Lincolnshire County Council Specification.

In response, the agent submitted a revised site plan providing the information requested by the highway authority and demonstrating that the required visibility of 43metres in both directions can be achieved from the proposed access. Adequate parking and turning facilities exist within the site.

The highway authority were re-consulted and advised the amended plans were acceptable and there were no objections to the proposal on highway grounds subject to a recommended condition.

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

Flooding Considerations

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 an extension to 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.

The proposed low boundary wall is to be of brick construction, given that the existing boundary treatment is formed by an open picket fence the construction of a solid feature will assist in ensuring the development is made safe for its lifetime and not increase the risk of flooding elsewhere.

The proposal therefore accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this

regard.

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 an access, gates, low boundary wall and railings to serve a domestic dwelling. 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 and 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 a new access, 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. There will be no detriment to the level of amenity currently afforded to neighbouring property 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.

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 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). 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.