DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-1093-24**	**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

28	The Natural Environment
29	The Historic Environment

National Guidance

National Planning Policy Framework December 2024

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
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 consent 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 planning permission for the works has been submitted and is being considered concurrently under application reference H23-1092-24.

The following documents form part of the application:

Heritage Impact Assessment: December 2024

History

H23-1238-19: Listed building consent to replace internal door to external grade and install a second external grade door. Approved 20.02.2020.
H23-0395-19: Listed building consent for replacement windows, landscaping and conservatory. Approved 05.09.2019.

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.

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.

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

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

Heritage 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 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990 concerns whether to grant listed building consent for any works 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.

Heritage Considerations

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 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 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 16(2) 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.

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 walls 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 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 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. 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

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 policy 29 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.

Recommendation

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