

Town and Country Planning Act 1990

**APPROVAL OF PRIOR APPROVAL – CHANGE
OF USE OF A BUILDING AND ANY LAND
WITHIN ITS CURTILAGE**

| Agent/Applicant's Name & Address | Applicant's Name & Address |
|---|--|
| Mr. P. Chaston, GC Planning Partnership Ltd, Bedford I-Lab, Stannard Way, Priory Business Park, BEDFORD. MK44 3RZ | Mr. A. Fairley, Well Pastures, Saddlebeck Road, Skidbrooke, LOUTH, Lincolnshire. LN11 7DH |

Part I - Particulars of Application

| Date received | Application Number |
|---------------|--------------------|
| 16/10/2020 | N/155/01821/20 |

Particulars and location of the development

PROPOSAL: Determination of whether or not prior approval is required as to

- a) transport and highways impacts of the development,
- b) the 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 2no. dwellings which is a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order and
- f) design or external appearance of the building.

LOCATION: WELL PASTURES, SADDLEBACK ROAD, SKIDBROOKE, LOUTH, LN11 7DH

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the East Lindsey District Council grants prior approval for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be completed within a period of 3 years starting with the prior approval date.

Reason: In order to comply with the requirements of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

2. The development hereby permitted shall be completed in accordance with the following approved plans;

| | |
|---------------------|------------------------------------|
| Existing Elevations | Received by the LPA on 09/10/2020. |
| Plan No. AF.01.03 | Received by the LPA on 09/10/2020. |
| Plan No. AF.01.05 | Received by the LPA on 09/10/2020. |
| Plan No. AF.01.06 | Received by the LPA on 09/10/2020. |
| Plan No. AF.01.07 | Received by the LPA on 09/10/2020. |
| Plan No. AF.01.09 | Received by the LPA on 09/10/2020. |
| Plan No. AF.01.11 | Received by the LPA on 09/10/2020. |
| Plan No. AF.01.14 | Received by the LPA on 16/10/2020. |
| Plan No. AF.01.15 | Received by the LPA on 16/10/2020. |

Reason: For the avoidance of doubt and the interests of proper planning.

NOTES TO APPLICANT:

1. The applicant/developer is reminded that this approval removes agricultural permitted development rights for the buildings in accordance with Schedule 2, Part 6, Class A, Paragraph A.1(b) and Class B, paragraph B.2(d) of The Town and Country Planning (General Permitted Development) (England) Order 2015.
2. The applicant is reminded that the dwelling granted by this prior approval does not benefit from the domestic permitted development rights set out in Part 1, Schedule 2, of the Town and Country (General Permitted Development) Order 2015.
3. The applicant is reminded that they have responsibility to ensure that no protected species are harmed and to contact Natural England for further advice, if necessary.
4. The applicant is advised to sign upto the Environment Agency's Floodline Warnings Direct telephone messages.

Dated: 11/12/2020

Signed:



Paul Edwards
Service Manager - Development Control

Tel. No. 01507 601111

EAST LINDSEY DISTRICT COUNCIL, TEDDER HALL, MANBY PARK, LOUTH, Lincs, LN11 8UP.

[] Prior Approval-Ag to Dwelling House

N/155/01821/20

APPLICANT: Mr. A. Fairley,

VALID: 16/10/2020

AGENT: GC Planning Partnership Ltd,

PROPOSAL: Determination of whether or not prior approval is required as to

- a) transport and highways impacts of the development,
- b) the 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 2no. dwellings which is a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order and
- f) design or external appearance of the building.

LOCATION: WELL PASTURES, SADDLEBACK ROAD, SKIDBROOKE, LOUTH, LN11 7DH

1.0 REASONS FOR COMMITTEE CONSIDERATION

1.1 The proposal falls within the Council's scheme of delegation.

2.0 THE SITE AND SURROUNDINGS

2.1 The application site itself contains a large, detached bungalow set within a 7 acre site consisting of large gardens, paddocks, stable block building, workshop and large agricultural barn (the application building) being a traditional structural steel portal framed with a corrugated asbestos cement duo-pitched roof covering. The external side elevations are of part blockwork up to 2m and corrugated cladding sheets up to eaves level.

3.0 DESCRIPTION OF THE PROPOSAL

3.1 Determination of whether or not prior approval is required as to

- a) transport and highways impacts of the development,
- b) the 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 (dwelling houses) of the Schedule to the Use Classes Order and
- f) design or external appearance of the building.

4.0 CONSULTATION

- 4.1 Set out below are the consultation responses that have been received on this application. These responses may be summarised and full copies are available for inspection separately. Some of the comments made may not constitute material planning considerations.

Publicity

- 4.2 The application has been advertised by means of a site notice displayed on a telegraph pole at the front of the site.

Consultees

- 4.3 LCC HIGHWAYS AND LEAD LOCAL FLOOD AUTHORITY - Does not wish to restrict the grant of permission

NO OBS - 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 is acceptable. Accordingly, Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.

- 4.4 ENVIRONMENTAL SERVICES (Environmental Protection) - Private Water Supplies (England) Regulations 2016 (as amended)

According to our register of private water supplies, this premises/property is believed to be using water from a private water supply (borehole), and is not connected to mains water. The Private Water Supply (England) Regulations 2016 (as amended) place requirements on such supplies for them to be wholesome and meet strict criteria within these regulations. The applicant has not made it clear where they intend to obtain their water supply from for the purposes of this application. The applicant should therefore provide full details of the supply they intend to use for the purposes of this application

- 4.5 ENVIRONMENTAL SERVICES (Drainage) - No comments received during the course of determination

- 4.6 ENVIRONMENTAL SERVICES (Contamination) - No comments (ABH)

- 4.7 ENVIRONMENT AGENCY - This proposal comes under cell E7/F7 (danger to some/low hazard, change of use) of the local flood risk standing advice and does not appear to fit any other criteria on our consultation checklist, When to consult the Environment Agency. It was therefore not necessary to consult us; please consider the proposals against the

guidance of the standing advice. We do not need to be consulted further on this application.

Standing advice (change of use/Danger for some):

The Environment Agency recommends that the proposal is accompanied by a Flood Risk Assessment which confirms that appropriate mitigation measures/flood resilience techniques have been incorporated into the development up to the predicted flood level (see Max Depth Map for 2115 scenarios).

Please refer to the following document for information on flood resilience and resistance techniques to be included: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007).

The FRA should aim to identify mitigation measures in line with those required for new build development of the same type, as far as this is practicable.

The Environment Agency OBJECTS to proposals which include self contained ground floor residential accommodation as an adequate standard of safety will not be achievable within the predicted flood depths as shown in the Strategic Flood Risk Assessment/Hazard Mapping. You may wish to refer applications that include self-contained ground floor residential accommodation to us for a bespoke response.

4.8 Summary of Informal Discussion:

Depth band shown at building location is 0-0.25m.

Standing advice if danger for some:

The Environment Agency recommends that the proposal is accompanied by a Flood Risk Assessment which confirms that appropriate mitigation measures/flood resilience techniques have been incorporated into the development up to the predicted flood level (see Max Depth Map for 2115 scenarios). Please refer to the following document for information on flood resilience and resistance techniques to be included: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007). The FRA should aim to identify mitigation measures in line with those required for new build development of the same type, as far as this is practicable.

New build standing advice to aim for:

depths 0 - 0.25: FFL must be set 300mm above ground level. The applicant is advised to refer to the following document for information on flood resilience and resistance techniques to be included: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG

2007).

The Prior Notification Statement says: 'Improvements to the existing internal concrete floor and the installation of a new raised floor level 250mm above the existing concrete slab complete with waterproofing in accordance with the recommendations in submitted flood report;' This is close to the 300mm we recommend/require for new build so I think we'd accept it but advise them to consider additional resilience measures and definitely sign up to Floodline Warnings Direct.

Neighbours

4.4 No representation were received during the course of determination

4.5 The Ward Councillor is aware of the application via the Weekly List.

5.0 RELEVANT SITE HISTORY

5.1 None of relevance

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises of the East Lindsey Local Plan (adopted 2018), including the Core Strategy and the Settlement Proposals Development Plan Document; and any made Neighbourhood Plans. The Government's National Planning Policy Framework (NPPF) is a material consideration.

East Lindsey Local Plan

n/a

National Planning Policy Framework

Including but not limited paragraphs 8, 11, 12, 127, 108, 127, 163 and 192

7.0 OFFICER ASSESSMENT OF THE PROPOSAL

Main Planning Issues

7.1 The main planning issues in this case are considered to be:

- **This proposal seeks a determination in relation to part a of class Q of Schedule 2 part 3 of the GPDO.**

7.2 The initial consideration is whether the proposal is permitted development. Q.1 sets out the relevant criteria.

Q.1 (a) It seems apparent on site that buildings have been in use for agriculture for a significant number of years. The applicant has acknowledged that the building is 'redundant for agricultural purposes and has been used storage. The building is part of an agricultural unit, still looks like, and would function as, an agricultural building, there is no suggestion that its lawful use has changed, with on this occasion It being considered that this part is satisfied.

Q.1. (b) No larger dwellinghouses are proposed through the development

Q.1. (c) The building will be converted to create two dwellings with a floor space of 96 square metres each. It is therefore considered that this part is satisfied.

Q.1. (d) see above

Q.1. (e) The applicant's agent has confirmed that the site is not occupied under an agricultural tenancy.

Q.1. (f) non applicable

Q.1. (g) The applicant's agent has confirmed that this part is not applicable and therefore no development has been carried out under Class A(a) or Class B(a) of Part 6 since 20th March 2013. It is therefore considered that this part is satisfied, with a planning history search revealing little to contradict the above.

Q.1. (h) The proposed development will not result in the external dimensions of the building extending beyond the external dimensions of the existing building. It is therefore considered that this part is satisfied. It is noted that part of the proposal is to timber clad part of the building and therefore it must be ensured that the timber cladding does not increase the footprint of the building at all.

Q.1. (i) I consider the alterations as proposed are reasonably necessary for the building to function as a dwelling house. It is therefore considered that this part is satisfied.

Q.1. (j) The site is not on article 2(3) land. It is therefore considered that this part is satisfied.

Q.1. (k) & (l) The site does not form part of an SSSI, Safety

hazard area or a military explosives area. The site is not a scheduled monument. It is therefore considered that these parts are satisfied.

Q.1. (m) The site is not a listed building. It is therefore considered that this part is satisfied.

7.3 In view of the above assessment, no evidence has come to light to suggest that the proposal would fall outside of the scope of the defined permitted development rights. The second consideration is whether the proposal meets the requirements of Class Q.2.

(a) Transport and highways impacts

There is an existing access into the site which would be utilised. Lincolnshire County Council as Highways Authority has not objected to the proposal.

(b) Noise impacts

The Environmental Health Officer has not raised any concern in relation to noise. The closest dwelling is the applicants to the East given the degree of separation involved, that the inter-relationship between the two no detrimental harm as regards noise is expected to impact upon the residential conversion.

(c) Contamination risks

The Environmental Health Officer has not raised any concern in relation to this.

(d) Flooding risks

The site itself is predominantly in a 'low hazard' area although adjoining land does fall into the 'danger to some' The Environment Agency standing advice suggests the site could experience flood depths between 0-0.25m with finished floor level to be set 300mm above ground level. The Prior Notification Statement says: 'Improvements to the existing internal concrete floor and the installation of a new raised floor level 250mm above the existing concrete slab complete with waterproofing in accordance with the recommendations in submitted flood report; This is close to the 300mm recommended/required for new build so the EA would accept the floor level as stated on this occasion. An Advisory is to be included regards the Floodline Warnings Direct.

(e) Whether the siting is appropriate

The site is relatively isolated and would not be affected by any type of harmful activities such as commercial and agricultural uses

(f) Design or external appearance of the building

The existing structure is large portal frame structure with blockwork upto 2m in height. The proposal would retain the basic structure with the proposed works producing a building of acceptable appearance, complying with relevant guidance on the interpretation of Class Q and appropriate local and national design policy.

In view of the above assessment, the proposal is considered to be permitted development allowed by Class Q

8.0 CONCLUSION

- 8.1 The development is permitted under class Q. and approval should be granted.
- 8.2 This conclusion has been arrived at having taken into account all other relevant material considerations, none of which outweigh the reasons for the officer recommendation made below.

9.0 OFFICER RECOMMENDATION

APPROVAL OF PRIOR APPROVAL

subject to the following conditions:

1. The development must be completed within a period of 3 years starting with the prior approval date.

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2. The development hereby permitted shall be completed in accordance with the following approved plans;

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Plan No.AF.01.14 as received by the LPA on the 16th October 2020
Plan No.AF.01.15 as received by the LPA on the 16th October 2020

Reason: For the avoidance of doubt and the interests of proper planning.

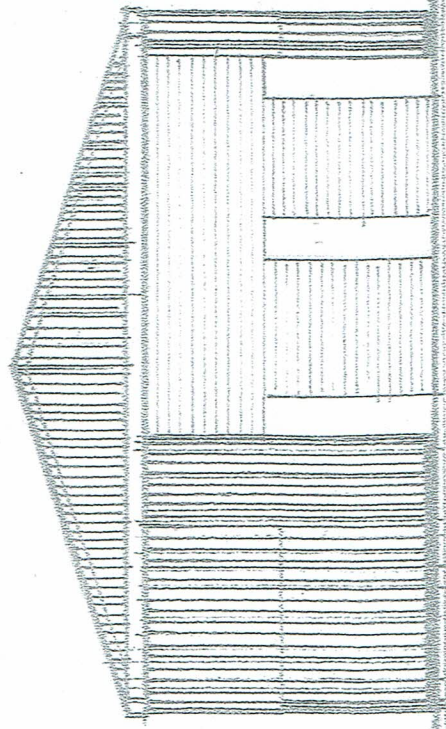
WELL PASTURES SADDLEBACK ROAD

SKIDBROOKE LOUTH LN11 7DH

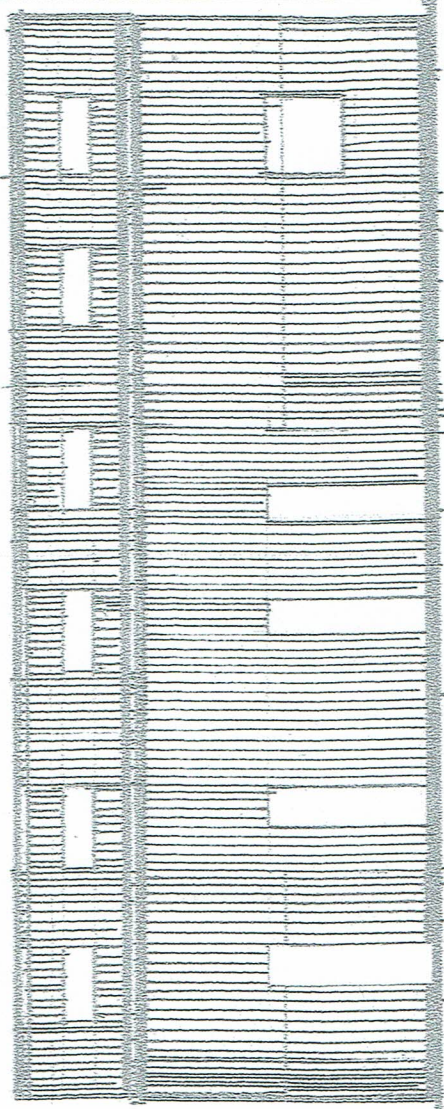
DRAWING DETAILS..... PROPOSED ELEVATIONS.....

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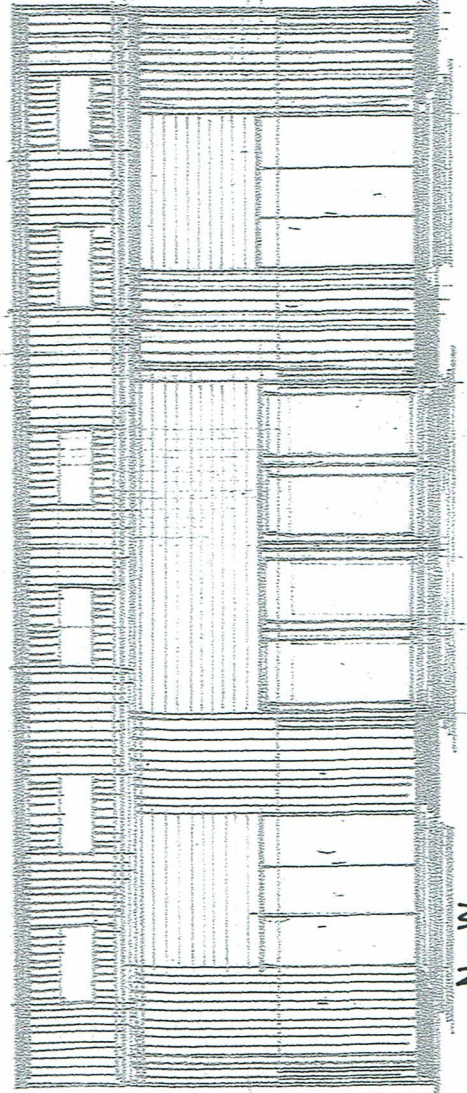
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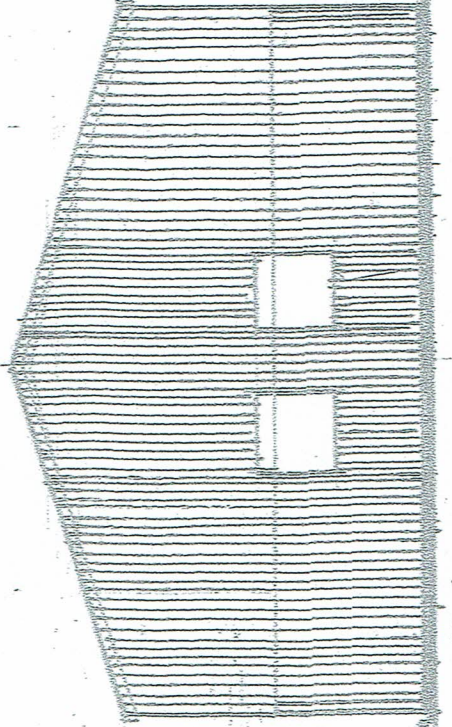
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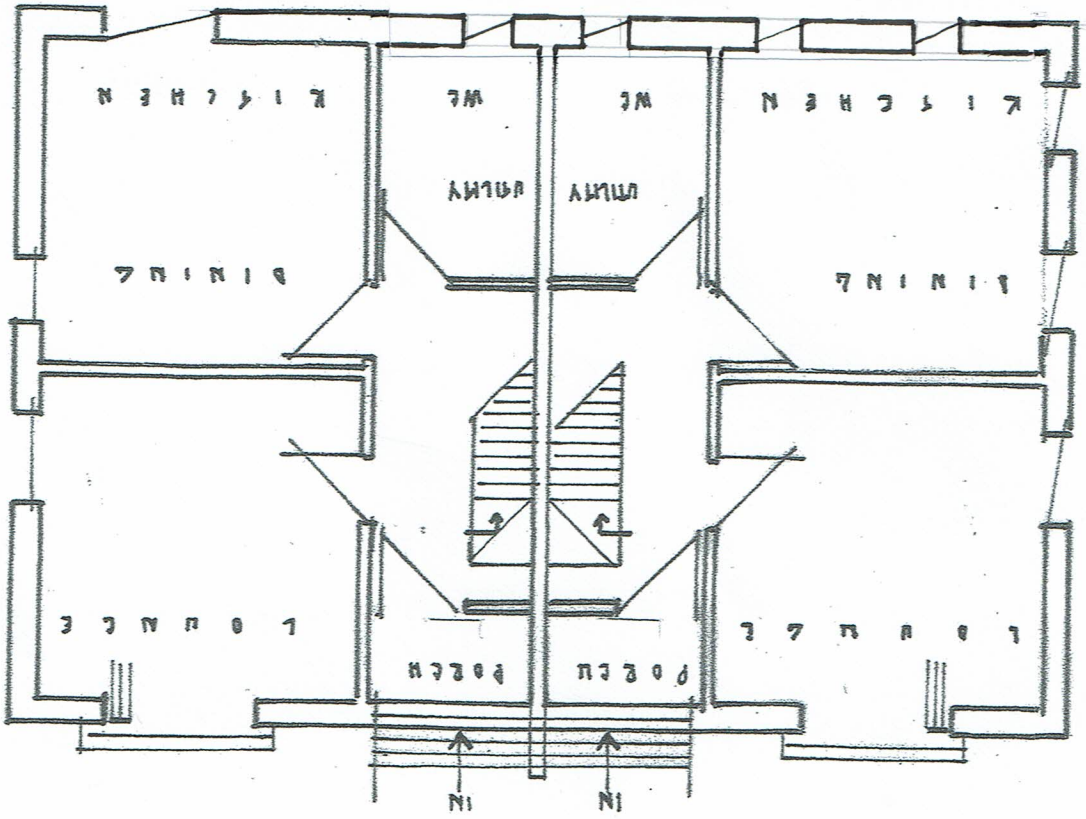


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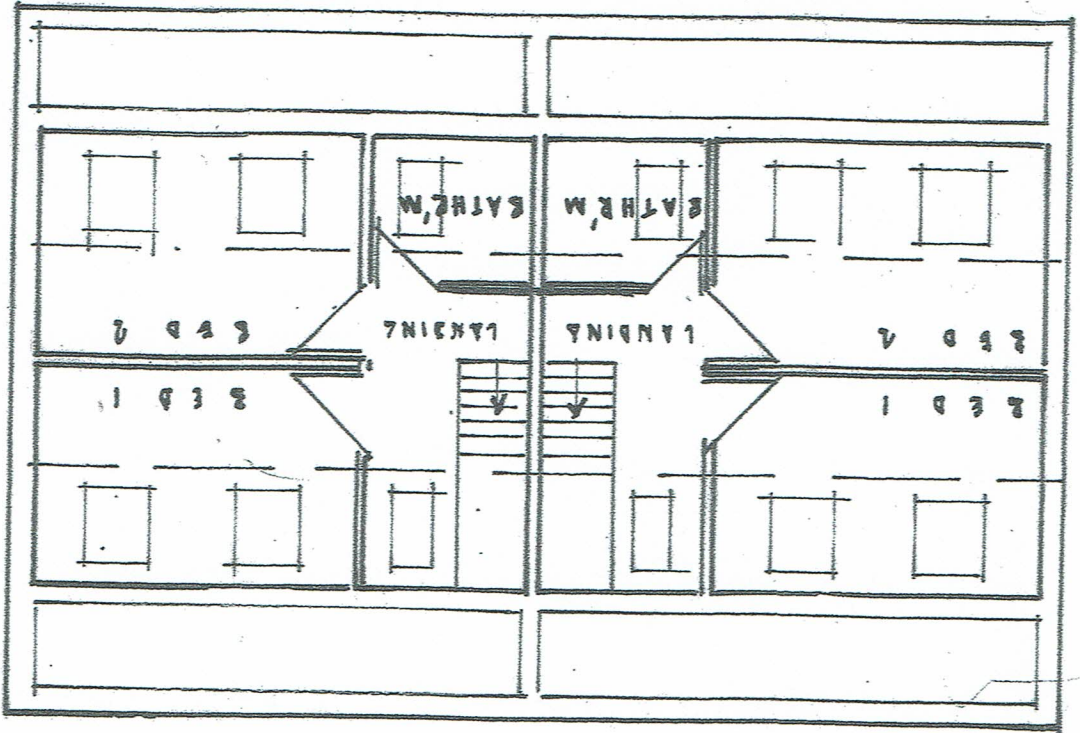


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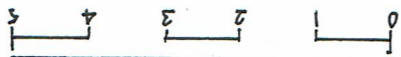
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F L O O R P L A N S



WELL PASTURES SADDLEBACK ROAD
 SKIDBROOKE LOUTH LN11 7DH
 DRAWING DETAILS PROPOSED FLOOR PLANS
 NO. AF. 01. 07
 DATE 5 E P 20
 SCALE 1:100