

Delegated Officer Report Recommendation – approve

Application number: 17/0653/FUL

Proposal: Conversion and change of use of an existing agricultural barn to a single storey detached dwelling with incidental garden space and an ancillary vehicular access onto Black Lane.

Site Address: Moor Farm Barns Black Lane Doddington Lincoln Lincolnshire

Applicant: Mr Shepard

Received Date:	08/05/17
Valid Date:	10/05/17
Date of Site Visit:	24/05/17
Date of Ward Member Notification Expiry:	06/07/17
Expiry Date:	05/07/17
Target Date:	21/06/17
Date of Recommendation:	11/07/17

Constraints:

Airfield
Airfield
Airfield
Airfield
Airfield
Countryside
NATS
Permitted Development Restrictions
Quarries
Robin Hood Airport Consultation Area
Sand & Gravel Safeguarding
Upper Witham IDB Interest Area

Planning Policies:

LP01- Presumption in Favour of Sustainable Development
LP17 - Landscape, Townscape & Views
LP25 - The Historic Environment
LP26 - Design & Amenity
LP55 - Development in the Countryside
National Planning Policy Framework
LP16 - Development on Land Affected by Contamination
LP21 - Biodiversity & Geodiversity

Planning History:

16/0741/PNND	Change of use to enable conversion of agricultural barn to single	Application Returned
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15/0152/PNND	dwellingshouse APPLICATION COULD NOT BE DEALT WITH UNDER PNND DUE TO PREVIOUS PERMISSION OF COU TO HOLIDAY LET	Declined to deal with application	06/02/15
08/0806/FUL	Conversion of agricultural barns to form holiday accommodation, conversion of agricultural barn to form dwelling	Approved	02/10/08

Neighbour Responses:None

Consultee Responses:

Upper Witham, Witham
First District & Witham
Third District1
Tree Officer

The Board has no comments on this application, the development does not affect the interests of the Board.

Hi Tony

Recommended conditions:

1. No works or development shall take place until a scheme for protection of the retained trees/hedgerows has been agreed in writing with the District Planning Authority. This scheme shall include:

- a. A plan showing details and positions of the ground protection areas.
- b. Details and position of protection barriers .
- c. Details and position of underground service runs and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.
- d. Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

2. Prohibited activities

The following activities must not be carried out under any circumstances.

- a. No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.

- b. No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
- c. No temporary access within designated root protection areas without the prior written approval of the District Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
- e. No soak-aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f. No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g. No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- h. No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

3. No works or development shall take place until the District Planning Authority has approved in writing the full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting).

4. The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest unless No works or development shall be carried out until the District Planning agreed otherwise in writing with the District Planning Authority. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the District Planning Authority.

Reasons.

To preserve and protect existing trees and new trees which have and may have amenity value that contribute to the character and appearance

Conservation Officer	Verbal comments received - Happy with scheme subject to conditions re materials, timber windows etc
Parish Council	Following a meeting of the Doddington & Whisby Parish Council on 12th June 2017, when the above Planning Application was discussed, it was resolved that there were no objections to the application.
Environmental Services	<p>The building to which the application relates has a historic agricultural use. This is a potentially contaminative land use, and as such the following Conditions should be applied to any permission granted:</p> <p>The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved by the Local Planning Authority (LPA) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement in writing:</p> <p>a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desktop study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desktop study and a non-technical summary shall be submitted to the LPA without delay upon completion.</p> <p>b) If identified as being required following the completion of the desktop study, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.</p> <p>c) Thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme without the express</p>

written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

d) Two full copies of a full closure report shall be submitted to and approved by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Note to Applicant: The phased risk assessment should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA

The applicant's attention is also drawn to the document entitled "Developing Land within Lincolnshire - A guide to submitting planning applications to develop land that may be contaminated", which can be obtained through the Local Environmental Health Department.

Lincolnshire County
Council - Highways And
SuDS Support

Does not wish to restrict the grant of permission.
HI03 - Prior to the submission of details for any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.
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.

Planning Officer Comments

Principle of Development

The building in question is a former cart shed and is considered to be a non-designated heritage asset and is located within the open countryside and is a detached former agricultural building that forms now part of a holiday complex granted under application 08/0806/FUL and because of this permission two previous prior notification applications (16/074/PNND and 15/0152/PNND) to convert the building into a dwelling were returned by

the Council as they did not comply with the PNND regulations as the building was longer part of an agricultural unit. However the principle for the use of the building for residential accommodation had already been established by application 08/0806/FUL which granted consent to convert the building into a holiday let.

Policy LP55 in the Central Lincolnshire Local Plan (Adopted 2017) Under Part A: Re-use and conversion of non-residential buildings for residential use in the countryside states that where the change of use requires permission and is located outside of the development footprint of any settlement listed in the settlement hierarchy then a proposal will be supported providing it meets the criteria set out in this section of the policy. It is officer opinion as the building no longer forms part of an agricultural holding it cannot be used for its original use, but it could be used under the extant permission for holiday accommodation and for this reason it is considered that it meets criteria a.

With regards to criteria b it is considered that the building can be converted with minimal alteration to the structure and as stated above officers consider the building to be a non-designated heritage asset worthy of being retain in its rural setting and therefore it is considered to comply with criteria c.

With this in mind it is considered that the principle to convert the building into a new dwelling is acceptable.

Visual Amenity

Property is built in red brick with pan-tiled roof, two of the original brick pillars have been replaced by rendered breeze block columns and although not stated on the drawings how these replacement pillars are to be dealt with it is proposed to impose a condition requiring the breeze block pillars to be replaced with brick that match the originals that remain.

Building has had 50% of roof tiles removed and an area to rear of building is currently used as a general storage area. The building is set in large grounds with post and rail fence to three boundaries and open plan to the other. There are two large trees to front of building on the open plan boundary,

The barn is set back from the highway but is visible to users of the road and forms an attractive feature in its rural location and the works to repair and convert the structure would improve the visual appearance of the building thereby improving the visual amenities of the countryside in this location.

However given the historic nature of the building and the open nature of the site it is proposed to remove permitted development rights for the new dwelling to ensure that domestic paraphernalia does not spread into the open countryside.

It is also proposed to impose a condition requiring the details of the boundary treatments to be submitted and agreed by the District Council.

Residential Amenity

The use of the building as a dwelling would not have a detrimental impact on the residential amenities of any nearby dwelling.

Parking & Highway Safety

The site is accessed off of a long driveway that runs alongside the access to Moor Farm and the existing access has good visibility in both directions. County highways have been consulted on this matter and have no objections on parking or on highway safety grounds.

Trees & Landscaping

As stated above the site has two large trees near to the building and has a large hedge running down the length of the proposed driveway. It is also proposed to including some landscaping to the grounds of the building. The Councils tree Officer has been consulted on these issues and has no objections to the proposed works subject to the imposition of conditions relating to tree/hedgerow protection and landscaping.

Other Issues

Contamination - As the site has been used in the past for agricultural purposes there is a possibility that there may be some contamination on the site and therefore the Councils Environmental Health team were consulted on this proposed. They have responded that they have no objections to the development providing that conditions regarding land contamination are imposed on any consent.

Ecology - Although the case officer could find no evidence of the use of the building by birds or other protected species Councils as part of the planning process should be looking to enhance the wildlife habitat as part of any planning application. With this in mind it is proposed to impose a condition requiring the provision of bird and bat boxes to be installed on or within the building.

Conclusion

It is officers opinion that the building is worthy of retention and that the design of the proposed conversion works are acceptable. Therefore the recommendation is one of approval subject to the imposition of conditions.

Decision Notice information

Conditions/Reasons

- 1 The development must be begun not later than the expiration of **three (3) years** beginning with the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No works comprising the conversion of the barn into a dwelling excluding foundations, shall take place on any part of the site to which any part of this permission relates** until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to **and agreed in writing** by the district planning authority. **Development shall only be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory external appearance in the interests of visual amenity to accord with policies LP25 and LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

- 3 All windows and doors shall be in Timber and thereafter retained in that form. **No development, excluding foundations shall take place** until, details of the windows and doors shall be provided at a scale of 1:20 for the **agreement in writing** of the district planning authority. **The details shall also indicate the finish of the windows and doors.**

Reason: To ensure that the appearance of the completed development respects the special character and appearance of the building to accord with policies LP25 and LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

- 4 **No development above foundation level shall take place** until, details of the new brick pillars and details of the repair works to the existing brick pillars shall be provided at a scale of 1:20 for the **agreement in writing** of the district planning authority.

Reason: To ensure that the appearance of the completed development respects the special character and appearance of the heritage asset to accord with policies LP25 and LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

- 5 **No development shall take place** until the details of boundary treatment have been submitted to and **agreed in writing** by the district planning authority. Such details to indicate the positions, design, materials and type of boundary treatment to be erected. **The agreed boundary treatment shall be completed before first occupation/use or in accordance with an agreed timetable. Development shall be carried out in accordance with the approved details.**

Reason: In the interests of privacy and visual amenity to accord with policy LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

- 6 **The development hereby permitted shall not be commenced** until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved by the district planning authority (dpa) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless otherwise agreed in writing by the dpa:

a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desktop study shall establish a conceptual site model and identify all

plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desktop study and a non-technical summary shall be submitted to the dpa without delay upon completion.

b) If identified as being required following the completion of the desktop study, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the dpa without delay upon completion.

c) Thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the dpa, and all requirements shall be implemented and completed to the satisfaction of the dpa. No deviation shall be made from this scheme without the express written agreement of the dpa. If during redevelopment contamination not previously considered is identified, then the dpa shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the dpa.

Reason: In order to protect public safety and the environment to accord with policy LP16 of the Central Lincolnshire Local Plan (Adopted 2017).

7 **No works or development shall take place** until a scheme for protection of the retained trees/hedgerows (Section 5.5 BS5837 - 2012 - Tree Protection Plan) has been submitted and agreed in writing by the district planning authority. This scheme shall include:

(a) A plan showing details and positions of the ground protection areas.

(b) Details and position of protection barriers. Protection barriers should be erected prior to each construction phase commencing and shall remain in place, and undamaged for the duration of that phase - these to be retained and maintained until all equipment, machinery and surplus materials have been removed from the site.

(c) Details and position of underground service runs and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.

(d) Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

Reason: To ensure the retention of features which are important to the character and amenity of the surrounding area to accord with policies LP17 and LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

8 Prohibited activities:

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars:

- (a) No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree on or adjacent to the proposal site.
- (b) No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site.
- (c) No temporary access within designated Root Protection Areas without the prior written approval of the district planning authority,
- (d) No mixing of cement, dispensing of fuels or chemicals within 10 metres of the tree stem of any retained tree on or adjacent to the application site.
- (e) No soakaways to be routed within the Root Protections Areas or any retained tree on or adjacent to the application site.
- (f) No stripping of topsoils, excavations or changing of levels to occur within the Root Protection Areas of any retained tree on or adjacent to the application site.
- (g) No topsoil, building materials or other to be stored within the Root Protections Areas of any retained tree on or adjacent to the application site.
- (h) No alterations or variations of the approved works or tree protection schemes shall be carried out without the prior written approval of the district planning authority.

Reason: To ensure the retention of trees which are important to the character and amenity of the surrounding area to accord with policies LP17 and LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

- 9 **No works or development shall take place** until the District Planning Authority has approved in writing the full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting).

Reason: To preserve and protect new trees which have and may have amenity value that contribute to the character and appearance of the area to accord with policies LP25 and LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

- 10 The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest unless No works or development shall be carried out until the District Planning agreed otherwise in writing with the District Planning Authority. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the District Planning Authority.

Reason: To preserve and protect new trees which have and may have amenity value that contribute to the character and appearance of the area to accord with policies LP25 and LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

- 11 **No development shall commence until** a scheme for the provision of permanent bat roosting and bird nesting features within the structure of the new dwelling has

been submitted to and approved in writing by the District Planning Authority. The scheme shall be undertaken in accordance with the approved details and the applicant shall submit appropriate evidence to the District Planning Authority to confirm this within 1 month of the completion of those works.

Reason: To safeguard the conservation of threatened or protected species to accord with policy LP21 of the Central Lincolnshire Local Plan (Adopted 2017).

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification):
- (a) No external alterations shall be carried out to the dwelling(s)
 - (b) No extensions shall be carried out to the dwelling(s)
 - (c) No garages or outbuildings shall be erected within the curtilage of the dwelling(s)
 - (d) No vehicle standing space or hard standing shall be provided within the curtilage of the dwelling(s)
 - (e) No gates, walls, fences or other structures shall be erected along any boundary to the curtilage of the dwelling(s)
 - (f) No means of vehicular access shall be constructed to the curtilage of the dwelling(s)
 - (g) No windows or dormer windows shall be added to the dwelling(s) other than those expressly authorised by this permission, unless planning permission for such development has been granted by the district planning authority.
 - (h) No solar or microgeneration equipment shall be added at roof level to any of the dwellings hereby permitted unless planning permission for such development has been granted by the local planning authority.
 - (i) No wind turbines shall be provided on or within the curtilage of the dwelling(s).

Reason: In the interests of visual amenities of the building and the rural location to accord with policies LP25 and LP26 of the Central Lincolnshire Local Plan (Adopted 2017).

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans, listed below on this decision notice.

Reason: To ensure that the development takes place in accordance with the approved details.

Informatives

1. It is an offence under the Wildlife and Countryside Act to damage or destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird while nesting.

2. Prior to the commencement of any access works within the public highway you should contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.
3. The proposal as submitted was deemed to be acceptable and as such the LPA was not required to engage in further positive and proactive working with the applicant.

**Plans
(PPO Checklist):**

A1/101 location/block	Design & Access Statement	08/05/17
plan	Elevations and Floor Plans	08/05/17