

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H02-0388-19 **Applicant:** Mr & Mrs A Branton
Proposal: Proposed extension and conversion of barn and stable to residential
Location: Cloot House Cloot Drove Crowland
Terminal Date: 7th June 2019

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
23	The Reuse of Buildings in the Countryside for Residential Use
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 5, 12, 14, 15 and 16

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Proposed extension and conversion of barn and stable to residential use.

Amongst the usual plans etc the following documents have been submitted for consideration;

- Protected Species Report - Prepared by Scarborough Nixon Associates Ltd
- Design Access & Heritage Statement Prepared by Jonathan Biggadike
- Landscape Strategy - March 2018 Prepared by Jonathan Biggadike
- Structural Appraisal Prepared by Steven Kidd
- Flood Risk Assessment View GCB/BOOR - January 2019

Site Description

The application site is a range of historic barns on the north side of Cloot Drove, Crowland. The barns are very finely detailed with unusual windows and lots of original features including internal details.

The barns contribute significantly to the local rural scene and are an important feature which should be retained.

Consultation Responses

Crowland Parish Council - Support.

LCC SuDS (Highways) - Do not wish to restrict the development - advise Informative notes.

Ian Marshman, Historic Environment Officer, Lincolnshire County Council - Comments:

"The proposed development has clearly been informed by a thoroughly researched Heritage Assessment. This assessment also provides an adequate record of the non-designated historic farm buildings prior to their alteration and conversion. Therefore no further recording will be needed in association with standing heritage assets on this site. However, the proposed development has the potential to have an impact on heritage assets of archaeological interest below ground. As noted in the Heritage Assessment, Cloot House is one of the longest established dispersed farmsteads recorded within the fens of South Holland, having been recorded as part of the estates of Crowland Abbey since the medieval period. During the seventeenth century and prior to the drainage of the surrounding area Cloot House was also a landmark for travellers between Crowland and Spalding by river or on the main road that then ran along the adjacent Welland bank, with the farmstead operating a tollgate and a ferry crossing. The new extensions may therefore have an impact upon any surviving below ground remains from these earlier uses of the site from the medieval period onwards. We would therefore recommend that if permission be granted the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook).

This should be secured by South Holland District Council's standard conditions AR01, 02 and 03.

"Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part), in a manner

proportionate to their importance and the impact, and to make this evidence (and any archive generated) publically accessible." National Planning Policy Framework, section 16, paragraph 199.

Initially I envisage that this would involve monitoring of all groundworks, with the ability to stop and fully record archaeological features."

Environmental Protection Officer -

"I have reviewed the attached screening assessment form, and recommend that the following condition be applied at this location:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health."

Environment Agency - Advise condition.

Planning Considerations

The main issues in this case are:

- Policy;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flood risk, drainage and ecology.

Policy

Policy 23 of the South East Lincolnshire Local Plan, 2019 indicates that proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential use will be permitted provided that:

1. the building is structurally sound and capable of conversion without the need for significant extension, alteration or rebuilding;
2. the building is of architectural or historic merit or makes a positive contribution to the character of the landscape, to justify conversion to ensure retention;
3. the proposal is in keeping with its surroundings;
4. the design is sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction; and
5. development leads to an enhancement of the immediate setting of the building.

Where permission is granted, permitted development rights may be removed in order to control future alterations or extensions that may impact on the appearance and character of the surrounding area.

The submitted structural assessment indicates that the building is structurally sound and capable of conversion. The main elements and features of the building would be retained.

The building is of significant architectural/historic merit and is considered worthy of retention and conversion.

The proposed alterations and extensions are sympathetic and would retain and enhance the buildings agricultural character. (It should be noted that Class Q allows the conversion of agricultural buildings such as this as permitted development, albeit with a reduced residential curtilage).

The proposal also complies with Paragraph 79 of the National Planning Policy Framework, 2019, which indicates that planning decisions should avoid new isolated homes in the countryside, unless there are exceptional circumstances. They include the re-use of redundant or dis-used buildings where the development would enhance the immediate setting. It is therefore considered that the

proposed development would amount to sustainable development when applying the Framework as a whole, and as such the balance lies in favour of the scheme.

Residential Amenity

A dwelling is situated immediately to the south - Cloot House - this is in the applicants ownership and in any event the distance and relationship between the sites and there would be no material loss of amenity to either site.

It is considered that the amenity of nearby residents would not be materially harmed in terms of such matters as overlooking, lack of privacy, overshadowing, noise and disturbance, etc.

There are modern farm buildings immediately adjacent to the south but these are also within the control of the applicant and no unacceptable material loss of amenity is likely from the presence of these buildings.

Highway Safety

LCC Highways does not wish to restrict the grant of permission on highway safety grounds.

Flood Risk

In terms of flood risk, the site is within Flood Zone 3 of the Environment Agency's Flood Maps. However, the flood maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is within several areas ranging from no risk to;

Less than 0.75
(Low Hazard)
Between 0.75 and 1.25
(Danger for Some)
Between 1.25 and 2.0
(Danger for Most)

Guidance on Flood Risk identifies that a building used for a dwelling house is classed as a more vulnerable use. However, the Framework states at paragraph 164 that minor development and changes of use applications should not be subject to the Sequential or Exception Tests, unless falling within certain types of development. Given the nature of the scheme, neither the sequential or exception test is required in this case. It should be noted that paragraph 164 also stresses that proposals should still meet the requirements for site specific flood risk assessments.

Drainage

Foul water would be disposed of package treatment plant, this is the most preferred method.

Ecology

An ecological survey has been carried out. Its recommendations can be conditioned.

Contamination

The application is accompanied by a Contamination Screening Assessment. Environmental Protection has recommended a condition relating to previously unidentified contamination.

Recommendation

APPROVE.

Additional Considerations

Public Sector Equality Duty

In making a 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. Of specific relevance are 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.