DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H03-0552-20**	**Applicant:**	**Mr R Sainsbury**
Proposal:	Conversion of barns and livestock unit into 5 bed dwelling		
Location:	Shrubbery Farm Main Road Deeping St Nicholas		
Terminal Date:	16th September 2020		

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
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
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

Conversion of barns and livestock unit into 5 bed dwelling.

The application is supported by a Design and Access Statement, Tree Survey, Protected Species Report and Structural Inspection Report.

Buildings B-F are currently used for storage with Building A used as a live/work unit. It is intended that the existing barns will be developed to be used as a single dwelling with 5 bedrooms. Where open cart barns are retained as such these will be used for vehicle storage.

It is proposed that Building F will be extended by bringing the south east elevation forward to align with the elevations of building B,C and D. The additional floorspace added to Building F (28m2) is the result of the requirement to rebuild this structure (see structural report) and will create a more useable space internally. The new elevation will be no further forward than existing elevations and this part of the barn complex is non original fabric (having been rebuilt, poorly, approx. 20 years ago).

The eaves height will remain as existing with the ridge height no greater than adjoining ridges. Building work will be outside of the root protection areas of nearby trees.

The proposal will include the construction of a wall to the rear of The Shrubbery to +separate the new dwelling from the farmhouse. The proposed layout will make use of the existing double gates to access the new development. The existing form of the buildings generates a natural 'courtyard' space centred within the 'horseshoe' shaped plan of the barns. The main barn, Building C, will accommodate the living spaces; kitchen/dining/living with the two storey barn, Building A, housing the sleeping accommodation. All buildings will be interconnected internally.

Site Description

Access from the main road, the A1175, will be via an existing driveway which currently serves The Shrubbery and the farmland beyond.

The existing site is a collection of adjoined, predominantly brick built, barn buildings located to the rear of the farmhouse.
All of the barns, except one, the two storey unit identified as Building A, are currently used for general storage. Building A has been converted into, and is in use as, a live/work unit.

The land sits largely within Flood Zone 2.

History

H03-0477-03. Change of use from B1 to B1/residential, including insertion of window. Approved. 23-06-03.

Consultation Responses

Deeping St Nicholas Parish Council

No response received.

LCC Highways & SUDS Support

No observations to make.

LCC Historic Environment Officer

The proposed development involves conversion of a historic farmstead known as The Shrubbery.

It is one of the larger and better preserved farmsteads in this part of South Holland, and represents a non-designated heritage asset in the terminology of the National Planning Policy Framework. It is also recorded in the Lincolnshire Historic Environment Record with the following summary from the English Heritage Greater Farmstead Assessment:

"The Shrubbery, Deeping St. Nicholas. Partially extant 19th century farmstead. Regular courtyard of F plan. The farmhouse is detached from the main working complex. There has been a partial loss (less than 50%) of traditional buildings."

It is clear that a number of historic features and fabric survive and there is evidence for various historic alterations as the farmstead has developed over its history.

Historic farmsteads such as this are an important feature in the fenland landscape but are increasingly under threat in a rapidly changing industry, with redundant structures facing demolition or unsympathetic conversion.

The proposed development will involve a number of alterations and the replacement of historic fabric, and it is beneficial to make a record of it prior to the loss of any evidential value. Therefore it is recommended that, prior to development, the developer should be required to undertake full historic building recording. This should be secured by appropriate
conditions to enable this historic asset to be recorded prior to their alteration/destruction. The results of the recording should be submitted to the Local Planning Authority for approval prior to work commencing on site.

" 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) publicly accessible." National Planning Policy Framework, section 16, paragraph 199.

A brief can be produced by this department which will lay out the details above, and the specification for the work should be approved by this department prior to the commencement of works. Please ask the developer to contact this office for further details.

SHDC Conservation Assistant (Tree Preservation)

TREES:
The tree report is thorough, it is suggested that the recommendations contained therein are followed. A condition composed to reflect this.

PROTECTED SPECIES:
The redevelopment of redundant farm buildings across the District must have a considerable effect on the distribution of barn owls. Sometimes generations can live at the same set of buildings over hundred plus years. Please consider conditioning the permission as suggested in the 'Ecology and Protected Species Survey' to the effect that a barn owl tower is built to try to mitigate for the loss of their home.

Please take into account other recommendations in this report and condition them; such as the installation of bat roost, and ecological enhancement.

SHDC Environmental Protection

No objection subject to condition.

Planning Considerations

The main issues in this case are:
- Policy/Sustainability;

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

Policy/Sustainability and Character/appearance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is located outside of a settlement limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 23 of the SELLP 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.

Addressing the above, the complex of buildings are of good quality and are of architectural/historic merit. The buildings are worthy of retention on grounds that they currently make a positive contribution to the character of the landscape. Consequently, the proposal is in accordance with Policy 23 of the South East Lincolnshire Local Plan, 2019.

The proposed alterations and extension are considered to be sympathetic to and in character with the buildings and would constitute an enhancement of the immediate setting given the present appearance of the buildings.

The proposal is considered to be consistent with advice within the National Planning Policy Framework, 2019. Paragraph 79 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.

Amenity of nearby residents

In terms of amenity, there are no dwellings close to the site except the current live/work unit and the host farm. It is considered that the amenity of nearby residents would not be materially harmed in terms of such matters as overlooking, lack of privacy, noise and disturbance, etc. The proposal therefore accords with Policies 2 and 3 in this respect.

Highway matters

The scheme includes on site parking facilities. There are clear, unobstructed views from the access road onto the highway.

LCC Highways has raised no objections to the scheme on highway safety grounds. The proposal satisfactorily complies with Policies 2, 3 and 36 in this respect.

Flood risk and drainage

The land sits within Flood Zone 2, with a small part of the buildings on the western edge falling in to Flood Zone 3. The submitted Design and Access Statement addresses flooding, and sets out that with the exception of the minor extension (28m2) to Building F, all other spaces are within existing buildings. Where internal floors exist these levels are generally at a minimum of 300mm above general ground level. Where open cart barns are being internalised, new floors will be added to

match adjoining buildings FFL's. All existing ground floor levels will be retained at their current level or higher (due to the addition of insulation and/or new finishes). It is to be noted that the existing FFL within Building C (proposed main living space) is approximately 1m above external ground levels.

The arrangements for surface and foul water are set to be a soakaway and septic tank on drawing ref SF-PR-PL-02.

LCC SUDs have raised no objections, and have not suggested conditions.

Ecology

A wildlife survey has been submitted in support of this proposal. The characteristics and use of the buildings are such that they are unlikely to be inhabited by bats or Barn Owls. Nevertheless, Policy 28 indicates that development proposals should provide an overall net gain in biodiversity. In accordance with this policy and works to accommodate barn owls and bats are proposed. These matters are to be controlled by conditions.

Conclusion

The proposal satisfactorily accords with the development plan and advice within the National Planning Policy Framework, 2019. It is therefore recommended that the application be approved under delegated powers.

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.