DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-0451-19**	**Applicant:**	**Dr & Mrs C Scarisbrick**
Proposal:	Proposed barn conversion		
Location:	Crowtree Farm Barns White Cross Lane Surfleet		
Terminal Date:	21st June 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
23	The Reuse of Buildings in the Countryside for Residential Use
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

National Planning Policy Framework (Feb. 2019)
Sections 2, 4, 5, 12, 14, 15 and 16

" 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.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	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

Full planning permission is sought to convert an agricultural building to a dwelling, including extensions.

This is a full planning application that seeks permission for a change of agricultural building to dwelling (Use Class C3) - Crowtree Farm Barns, White Cross Lane, Surfleet.

The proposals include a large two-storey extension which does not relate well to the original barn and is not subservient, this would unacceptably alter the character and integrity of the original building and is contrary to criteria 4 of Local Plan policy 23.

Site Description

The site is located at Crowtree Farm Barns, White Cross Lane, Surfleet.

The site context is predominantly characterised by agricultural land but there is dispersed residential development in the surrounding area.

The site location is not contained within any defined settlement limit as set out in the South Holland Local Plan 2006. The site is therefore open countryside.

Consultation Responses

Pinchbeck Parish Council
Support
Pinchbeck Parish Council recommended approval for this planning application at their Annual Meeting of the Parish Council on 13.5.2019

LCC Highways - Does not wish to restrict the grant of permission - advises Informatives.

Environmental Protection - I request that the applicant fills out a screening assessment form prior to determination, however if they choose not to do this, I recommend the full land contamination condition..

LCC Archaeology - The proposed development involves the conversion of historic farm buildings, which are a non-designated heritage asset recorded in the Lincolnshire Historic Environment Record.
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 considerable alteration and replacement of historic fabric, and therefore it is beneficial to make a record of it prior to the loss of any evidential value. Therefore it is recommended that the developer be required to carry out photographic building recording prior to any demolition or conversion. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction.

Planning Considerations

The main issues in this case are:

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

Policy/Principle

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.

Addressing the above, the building is of brick construction with a traditional style and appears to be in good condition, a structural survey has been submitted.

The building is registered on the HER record as a non-designated Heritage Asset and therefore can be considered to be of significant architectural/historic merit and, on balance, is considered worthy of retention and conversion.

However, the proposed alterations are not sympathetic and would not 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 and where the building's 'envelope' is not breached).

The Case Officer is of the view that the proposal would unacceptably change the character of the barn and would therefore be in conflict with criteria 4 of Policy 23 of the South East Lincolnshire Local Plan.

Based on the plans provided, it is not considered that the proposal would accord with criteria 1 of Policy 23 and the proposal would unacceptably change the character of the barn and would therefore be in conflict with criteria 4.

A more sympathetic design would be acceptable. A small extension may be appropriate if much more subservient to the main building.

The proposal 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, the principle is not in dispute, just the design of this scheme.

Relevant Planning History

- PE-00088-19

Residential Amenity

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.

Highway Safety

There are no highway safety or capacity issues.

Ecology

An ecological survey has been carried out - Protected Species Report View Prepared by Fauna Forest Ecology Ltd - January 2019 . Recommendations for further surveys are made.

Contamination

Environmental Protection has recommended a condition relating to contamination unless a self-assessment form is provided by the developer.

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.

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.

Conclusions

The proposed alterations are not sympathetic and would not retain and enhance the buildings agricultural character.

The Case Officer is of the view that the proposal would unacceptably change the character of the barn and would therefore be in conflict with criteria 1 and 4 of Policy 23 of the South East Lincolnshire Local Plan.

Recommendation: REFUSED.

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 of refusal 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 of refusal 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.