

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0465-22 **Applicant:** Ostler Brothers
Proposal: Change of use of agricultural buildings to one dwelling including the demolition of existing buildings & the erection of a detached garage
Location: Bridge Farm Holbeach Road Spalding
Terminal Date: 16th September 2022

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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
23	The Reuse of Buildings in the Countryside for Residential Use
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

National Planning Policy Framework (NPPF, 2021)

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 5: Delivering a sufficient supply of homes
Section 9: Promoting sustainable transport
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment

Planning Practice Guidance

Representations:

	Object	Support	No Obj.	Comments
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WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks approval for the change of use of agricultural buildings to one dwelling including the demolition of existing buildings and the erection of a detached garage at Bridge Farm, Holbeach Road, Spalding. The proposal involves the retention and repointing of existing facing brickwork and the provision of black stained cladding in areas. The proposed garage would be single storey in height and would be constructed with a facing brickwork and cladding finish.

Site Description

The site is located on the north-west side of Holbeach Road and currently comprises one existing dwellinghouse and a number of agricultural buildings. To the north and west is agricultural land and to the south is the highway of Holbeach Road (A151) and the residential property of Bridge Farm Cottage.

History

There is no planning history on the site.

Consultation Responses

Environment Agency
Have no objections subject to the imposition of a condition.

Lincolnshire County Council Highway Authority and Lead Local Flood Authority
Raised no objections.

South Holland Internal Drainage Board
Raised no objections.

South Holland District Council's Environmental Protection Team
Have no objections subject to the imposition of conditions.

Lincolnshire Bat Group
Raised no objections.

Planning Considerations

Principle

The site is located outside the settlement boundary of Spalding and is therefore considered 'countryside' land in accordance with Policy 1 of the adopted South East Lincolnshire Local Plan. Policy 1 goes on to state that development will be permitted in a countryside location that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 23 of the adopted Local Plan goes on to state that proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential uses will be permitted provided that:

1. The building is structurally sound and capable of conversion without the need for significant extension, alteration or rebuilding;

In accordance with the submitted Visual Structural Appraisal and the case officer's site visit, the Local Planning Authority are satisfied that the building is structurally sound and capable of conversion without the need for significant extension, alteration or rebuilding. It is worth noting that whilst the proposal includes the partial demolition of existing buildings, these are more modern additions to the existing brick structures and is proposed in the interests of enhancing the more traditional agricultural buildings on site.

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;

Following the demolition of existing steel portal framed buildings on site, the existing brick agricultural buildings would be revealed and visible from the public highway of Holbeach Road and are considered to make a positive contribution to the character of the landscape. The buildings to be retained include traditional brick detailing that would be retained and is considered to be of architectural merit. It is also worth noting the proposal involves the repointing of existing brickwork.

3. The proposal is in keeping with its surrounding;

The proposed conversion is considered to be in keeping with its surroundings by virtue of its traditional visual appearance and linear form that would be reflective of Bridge Farm, Bridge Farm Cottage and its rural setting.

4. The design is sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction;

The proposal would include the retention of existing traditional architectural detailing as well as incorporating it into new and exposed parts following the demolition of existing buildings. The proposal includes the retention of existing brickwork and the inclusion of partial black cladding of the existing building and the proposed garage. Whilst black in colour, the use of timber cladding is considered to be acceptable in this location given its rural setting and number of mature trees in the immediate vicinity.

Overall, the proposal is considered to satisfy this criterion.

5. And, development leads to an enhancement of the immediate setting of the building.

The proposed development is considered to lead to an enhancement of the immediate setting of the building through the demolition of existing steel framed buildings to reveal the traditional brick-built barns to the public highway of Holbeach Road accompanied by the repointing of the existing brickwork.

Overall, the proposed development is considered to be in accordance with Policies 1, 2, 3 and 23 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) as well as the guidance within the National Planning Policy Framework (NPPF, 2021).

Flood Risk and Drainage

The site is located within Flood Zone 3 and is on land identified as 'Danger for All' flood risk to people in accordance with the South East Lincolnshire Strategic Flood Risk Assessment (2017). As the proposal is for the change of use of an existing building, it is not subject to Sequential or Exception Tests.

The application is accompanied by a Flood Risk Assessment that addresses concerns regarding flood risk with the Environment Agency raising no objections to the proposed development subject to a condition that secures the following:

- Finished flood levels shall be set no lower than 4.26m above AOD,
- Demountable defences shall be provided at a height of 600mm to cover all ground floor external doors and,
- Flood resilience and resistance measures shall be incorporated into the proposed development.

The application proposed to dispose of surface water via soakaway and foul drainage via package treatment plant. A condition would be imposed to secure specific details relating to these matters.

Overall, the proposal is considered to be acceptable in terms of flood risk and therefore accords with Policy 4 of the adopted Local Plan and the guidance within the NPPF (2021).

Impact on Neighbouring Amenity

The neighbouring property that is most likely to be impacted upon as a result of the proposed development is Bridge Farm, Holbeach Road.

The proposal is not considered to result in any detrimental overbearing or overshadowing impacts on the neighbouring property as a large portion of the existing agricultural building is to be demolished with the proposed single storey garage to be sited approximately 19m east. Furthermore, the proposal is not considered to result in any overlooking impacts as no first-floor windows are proposed.

Highway Safety

The proposal seeks permission for the change of use of existing agricultural buildings to form one, four-bedroom dwellinghouse. In line with Policy 36 and Appendix 6 of the adopted South East Lincolnshire Local Plan, three off-street car parking spaces are required to be provided within the curtilage of the dwellinghouse. As shown on drawing number 1490-1_PL_SP02, this has been achieved. It is also worth noting that the proposal includes the erection of a double garage which is considered to propose acceptable internal dimensions to cater for two cars (6.1m by 6m).

The proposed dwelling would be accessed via an existing access off Holbeach Road (Classified A Road, subject to a 40mph speed limit), which is considered to be of an acceptable width and includes sufficient visibility splays in both directions. Furthermore, no concerns have been raised by Lincolnshire County Council's Highway Authority.

Other Matters

During the course of the application, a Preliminary Ecological Appraisal and Bat Emergence Survey have been submitted at the request of Lincolnshire Bat Group. The Preliminary Ecological Appraisal found evidence of bat use in building 4 and therefore required the follow-up Bat Emergence Survey, which confirmed the presence of a low number of roosting bats. Accordingly, a licence will be required. A condition would be imposed on any planning permission granted to ensure the development is carried out in accordance with the submitted details.

Planning Balance

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 proposal is considered to be acceptable in principle and would not result in any detrimental

impacts on the character and appearance of the streetscene or surrounding area, would not result in any detrimental flooding or highway safety impacts and would be acceptable in terms of impacts on future occupants. The proposal is therefore considered to be in accordance with Policies 1, 2, 3, 4, 23, 28, 29, 30, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019 as well as the guidance within the National Planning Policy Framework (NPPF, 2021).

Conclusion

Approve.

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.