

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H18-0413-20 **Applicant:** Miss M Reid
Proposal: Barn conversion including extension
Location: 146 Fields Farm Bridge Road Sutton Bridge
Terminal Date: 31st July 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
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
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a barn conversion including extension. The applicant has indicated that it would be occupied by herself and the host dwelling (no. 146) would be sold.

Site Description

The building is located in open countryside some 280 metres to the south of Bridge Road. It is of brick and pantile construction and is presently within the domestic curtilage of No. 146 Fields Farm, which is a semi-detached house. A semi-detached house (no. 145 Fields Farm) is situated to the north. Both properties are accessed via a long private roadway known as Fields Farm North.

History

H18-1013-17 - Full - Proposed conversion of barn into 2 holiday cottages - No Further Action

Consultation Responses

Sutton Bridge Parish Council - No response

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

SHIDB - Recommend drainage strategy

Environment Agency - Request condition.

Environmental Protection - Request contamination condition.

LCC Archaeology - Recommend historic building recording.

Public - Objection received (summarised):

Foul sewage problems (blockage, odour, etc); Lane (Fields Farm North) unsuitable for additional traffic - in a poor state of repair and has previously caused damage to vehicles; Needs speed limit; Water supply/quality issues; Especially concerned if used as holiday flats or occupied by tenants.

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, ecology and archaeology.

Policy/Principle

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 building is mainly of brick and pantile construction and appears to be structurally sound. It is an attractive barn that forms part of an inter-war farmstead small holding, purpose built by the Ministry of Agriculture in the 1920s as part of the Crown Colony established by the Government at Sutton Bridge after their acquisition of the former Guys Hospital Estate.

The proposal involves quite a significant extension. However, it is required to achieve the necessary living space whilst satisfactorily addressing flood risk. The building is of both architectural and historic merit and is a non-designated heritage asset and an important rural feature which should be preserved. This is a means of seeking its retention and the extension is considered to be sympathetic and in character with the existing building in terms of scale, architectural detailing and materials of construction.

It is considered that the proposal satisfactorily complies with Policy 23 of the South East Lincolnshire Local Plan, 2019.

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, which is considered to be the case.

Amenity

The nearest non-associated dwelling is No. 145 Fields Farm immediately to the north, which is a semi-detached house. The barn is situated on the southern side of No.146 away from no. 145. The northern elevation has a bedroom window overlooking the front garden only of No. 146. The remainder of that elevation is blank. A kitchen window would look out over a rear section of garden associated with No. 146. Fencing is proposed along the northern boundary to protect the amenity of both properties.

It is understood that the barn conversion would be occupied by the applicant and that the host dwelling (no. 146) would be sold. However, under the terms of any permission it could also be sold or rented as an independent dwelling. It should also be noted that whilst the applicant has not applied for holiday accommodation, it could also technically be used for such a purpose. Whichever of the above is applicable it is considered that the design and general relationship to neighbouring property (nos. 145 and 146 Fields Farm) is such that the amenity of occupiers of those properties would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, noise and disturbance, etc.

The proposal satisfactorily complies with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

Highway Safety

Vehicular access to the site would be via a private roadway known as Fields Farm North. The distance from the barn to Bridge Road is some 280 metres and the roadway is not in a good state of repair. Traffic speeds are likely to be low as a result. Consequently, the state of the road is more of an inconvenience rather than a significant highway safety concern. It is therefore considered that there is not sufficient reason to refuse the application on highway safety grounds. This approach is consistent with a recent appeal decision for a barn conversion off Stoton's Gate (ref: H09-0798-18) and LCC Highways has raised no objections on highway safety grounds.

There is provision on site for the parking of two vehicles. The proposal therefore satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety/parking requirements.

Flood Risk

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. However, they 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 East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is within an area designated as "Danger for Most". However, the Framework states at paragraph 164 that minor development and changes of use applications such as this should not be subject to the sequential or exceptions tests. Given the nature of the scheme, neither the sequential or exception test is required in this case. However, paragraph 164 also stresses that proposals should still meet the requirements for site specific flood risk assessments.

The proposal is a more vulnerable development and peak depths are predicted at 0.5 metres to 1 metre. In this case the Environment Agency has recommended that all habitable accommodation should be on the first floor as proposed. Flood resilient construction should also be provided to a height of 300mm above the predicted flood depth. The applicant should also sign up to the local Flood Early Warning scheme.

The proposal therefore satisfactorily complies with Policy 4 of the SELLP and advice within the National Planning Policy Framework, 2019.

Drainage

Foul water would be disposed of to a private package treatment plant and surface water to soakaways. As requested by the South Holland Internal Drainage Board, more specific details are required in this respect. This can be made the subject of a condition.

Ecology

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 it is recommended that a barn owl box be erected prior to work commencing if permission was forthcoming.

Archaeology

LCC Archaeology has indicated that the building forms part of an inter-war farmstead small holding. It was purpose built by the Ministry of Agriculture in the 1920s as part of the Crown Colony established by the Government at Sutton Bridge after its acquisition of the former Guys Hospital Estate. The farm colony was designed by the Government to provide returning serviceman with a place to settle and earn a living from the land following the end of the First World War.

It was laid out with a series of architect-designed cottage "homes fit for heroes" in a contemporary style, but inspired by forms and materials of traditional rural vernacular architecture. Each had its own small barn to store produce and machinery, and a piece of land to farm as they saw fit.

The interwar cottage (not part of the present application) and associated barn are non designated heritage assets in the terminology of the NPPF (paragraph 197), and together with similar farmsteads nearby and around Sutton Bridge contribute a great deal to the

character and local distinctiveness of this part of South Holland.

The application to convert and therefore preserve the barn is therefore welcomed. However, such conversions frequently require the repair, renewal, alteration and replacement of historic fabric and it is therefore beneficial to make a record of the building prior to conversion taking place. LCC Archaeology therefore recommends that the developer should be required to undertake historic building recording to produce a photographic record of the building prior to conversion.

Other Matters

Issues have been raised over the inadequacy of existing foul water drainage facilities and odour, etc. This matter falls within the remit of Environmental Protection. Statutory water authorities have a statutory duty to provide a water supply to a property. Restrictive covenants are a civil as opposed to planning matter.

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.