

APPLICATION NO	PA/2009/0275
APPLICANT	Birchwood Developments (Lincs) Ltd
DEVELOPMENT	Planning permission to retain an outbuilding and change of use to a dwelling
LOCATION	The Lodge adjacent to The Mount, B1208 from the A18 to Brigg Road, Castlethorpe
PARISH	BROUGHTON
WARD	BROUGHTON AND APPLEBY
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Contrary to policy
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>North Lincolnshire Local Plan: Castlethorpe is identified as a rural hamlet in the open countryside (policy ST2).</p> <p>Policy RD2 sets out the criteria whereby development in the open countryside may be permitted.</p> <p>Policy H5 sets out where new housing development will be allowed and what criteria it should meet.</p> <p>Policy RD9 relates to the re-use and/or adaptation of rural buildings for residential use in the open countryside and sets out the criteria which need to be satisfied.</p> <p>Policy DS1 states that a high standard of design is required for all developments.</p>
CONSULTATIONS	Highways: Do not wish to restrict the grant of permission.
TOWN COUNCIL	No objections or comments.
PUBLICITY	The application has been advertised by site and press notices as being within the setting of a listed building. Neighbouring properties have also been notified and a letter has been received objecting on the following grounds:

- the building was sound and was not demolished by vandals
- over-development at a grade II listed country house, not appropriate to the Mount's location and position in the countryside and does not warrant such a development
- The Mount is situated on an extremely busy and dangerous bend with limited viewing to speeding cars. Car usage to The Mount will be greatly increased and could cause issues regarding traffic safety

ASSESSMENT

Planning permission is being sought to retain a re-built outbuilding and to use the building as a dwelling. The building is within the curtilage of The Mount, Castlethorpe, a grade II listed building.

The main issue which needs to be addressed in determining this application is whether the development complies with policies RD2 and RD9 of the North Lincolnshire Local Plan as it is a re-build in the open countryside.

The outbuilding has been re-built on the site of the original building, known as 'The Lodge', which had planning permission to be converted to a dwelling, (2007/0341). However, it came to the local planning authority's notice that rather than a conversion being carried out, a new building had, in effect, been erected. The developers have submitted an application to retain this new building and have explained that the reason the building has been re-built is because vandals caused substantial damage to the original building during the conversion, to the extent that it had to be levelled and re-built.

The main issue is therefore a policy consideration. The requirements of national and local policies are to restrict development in the open countryside in terms of new dwellings to those proven to be required for workers in agriculture and forestry or for some special countryside need; affordable housing can also be considered in the open countryside.

There is clear policy support (policy RD2(v)) for the conversion of existing buildings in the open countryside to dwellings if certain criteria are met. However the crucial point is that they must be conversions, not new build, and

one of the requirements is that a structural survey be submitted to demonstrate that a building can stand up to the physical stresses of the significant work involved in a conversion. Developers are generally advised that if a rural building collapses during the conversion works the local planning authority will be likely to take the view that the permission has been lost and that a new build would not be supported for open market housing.

In this case, therefore, the development is clearly contrary to policy and would not normally be supported. However, the developer has stated that the building was knocked down substantially by vandals; this was not of their doing and the new building has been built using the original bricks, with an extension to be built in matching bricks and the roof finished in slate to match the other buildings on the site. The developer is felt to have suffered exceptional circumstances for which the policies do not cater, and which should be weighed as a material consideration against the policy presumption against such development. The building is on the same footprint and basically the same, with small window/door changes as the previously approved conversion.

With regard to the objection received, the first issue has been overcome by the developer's submission; the other issues, to do with over-development and highways issues, are unfounded – there was a building with permission for conversion at this site already and Highways raise no objections.

On balance, the application is recommended for approval.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

Samples of the roofing materials shall be submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

To maintain the character of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.

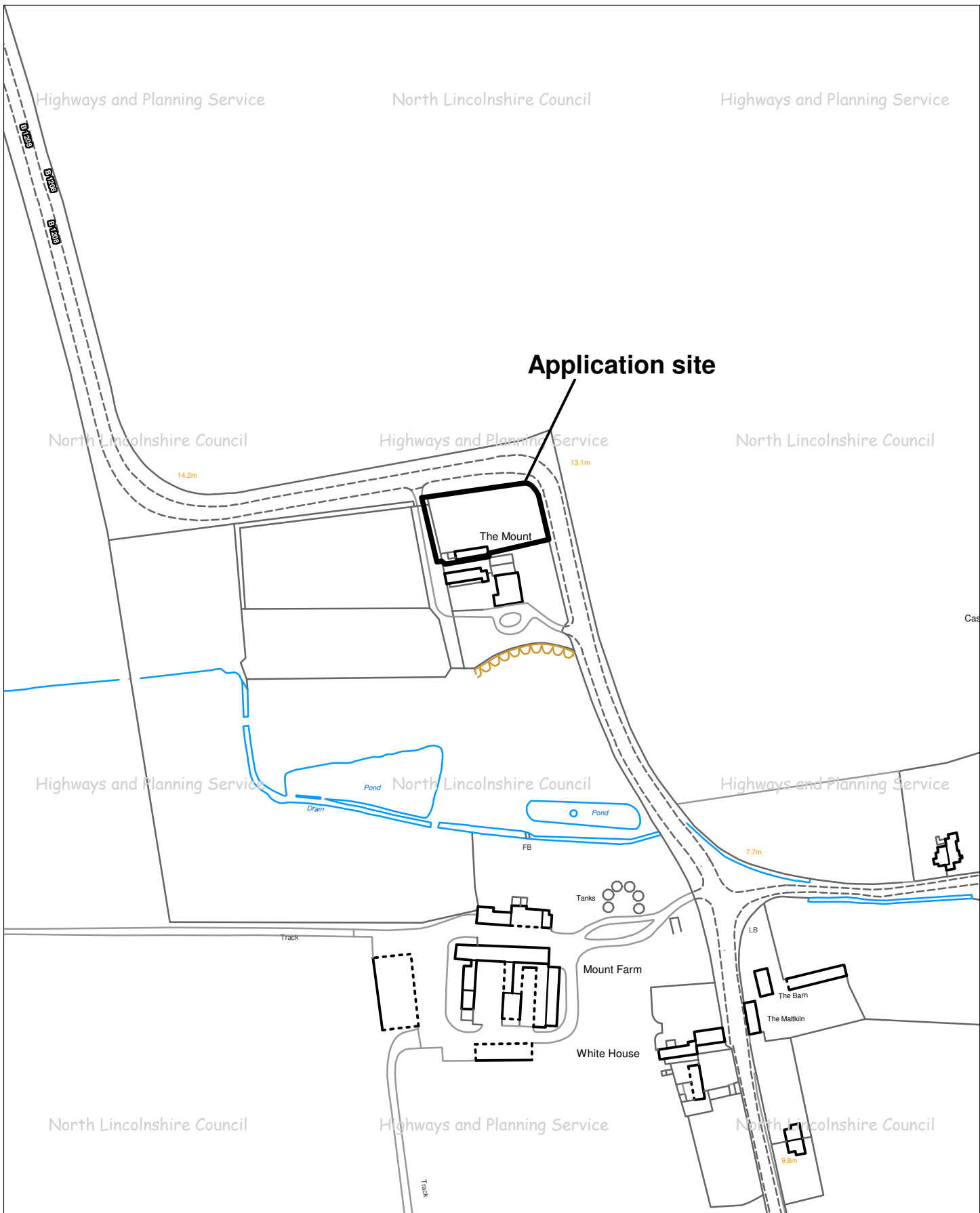
2.

Notwithstanding the provisions of Classes A, B, C, D and E of Part 1, or Class A of Part 2, of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking and re-enacting that order

with or without modification, none of the development normally allowed shall be carried out other than that expressly authorised by this permission.

Reason

To maintain the character of the development in accordance with policy DS1 of the North Lincolnshire Local Plan.



Application site

The Mount

Tanks

Mount Farm

White House

LB

The Barn

The Maltkin

Drain

Pond

FB

Track

Track

14.2m

13.1m

7.7m

9.8m

Drawing Title: 2009/0275

OS Grid Ref: SE98220780

Drawn by: KC

Scale: 1:2500

Date: 11/05/2009



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Highways and Planning Service

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