

**APPLICATION NO** PA/2012/1235

**APPLICANT** Mr P Pantry

**DEVELOPMENT** Planning permission for demolition of an extension to Snowdrop Cottage, refurbishment of Snowdrop Cottage and outbuilding D to provide ancillary accommodation, conversion of existing outbuildings to form residential accommodation, with two-storey and single-storey extensions, new brick walls, piers and gates, retention of solar panels and retention of mobile home and two storage containers (for a temporary period only)

**LOCATION** Snowdrop Cottage, Turbary Road, Haxey

**PARISH** HAXEY

**WARD** Axholme South

**CASE OFFICER** Tanya Coggon

**SUMMARY RECOMMENDATION** **Grant permission subject to conditions**

**REASONS FOR REFERENCE TO COMMITTEE** Contrary to policy

## **POLICIES**

**National Planning Policy Framework:** Paragraph 55 – this outlines the special circumstances where isolated homes in the open countryside may be justified. This includes where development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

Paragraph 61 – planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraphs 128, 129, 131, 132, 137 and 140 relate to conserving and enhancing the historic environment. Local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Great weight should be given to the asset's conservation. Proposals that preserve those elements of the setting of heritage assets that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

**North Lincolnshire Local Plan: Policy DS1 (General Requirements)**

Policy RD2 (Development in the Open Countryside)

Policy RD9 (Re-use and/or Adaptation of Rural Buildings for Residential Use in the Open Countryside)

Policy RD10 (Replacement, Alterations and Extensions to Dwellings in the Open Countryside)

Policy HE5 (Development affecting Listed Buildings)

Policy LC2 (Sites of Special Scientific Interest and National Nature Reserves)

Policy LC14 (Area of Special Historic Landscape Interest)

Policy T2 (Access to Development)

Policy DS21 (Renewable Energy)

Policy DS16 (Flood Risk)

**North Lincolnshire Core Strategy:** Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS7 (Overall Housing Provision)

Policy CS8 (Spatial Distribution of Housing Sites)

Policy CS19 (Flood Risk)

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource and Climate Change)

## **CONSULTATIONS**

**Highways:** No objections.

**Severn Trent Water Ltd:** No objections.

**Yorkshire Water:** No comments.

**Environment Agency:** No objection. We advise raising finished floor levels and/or making the dwelling flood resilient up to 4.1m AOD, this being the critical flood level established for the area in North Lincolnshire's Strategic Flood Risk Assessment. The mobile home/caravan must only be used as a residential unit for a temporary period whilst these works are taking place. The site is located in an area at high risk of flooding and thus we do not recommend that this 'highly vulnerable' development is permanently located there.

**Environment Team (Ecology):** No objection subject to conditions.

**Environmental Protection:** No objection subject to conditions.

**Environment Team (Archaeology):** No objections subject to conditions.

**Environment Team (Heritage):** No objections subject to conditions.

**PROW:** No objection.

**English Heritage:** (Summarised) Is supportive of the principle of the application as it will provide a means of repairing and securing this important heritage asset for future generations. No objection subject to conditions.

**Natural England:** No objection. The local planning authority should consider requesting enhancements.

**Lincolnshire Wildlife Trust:** No objection subject to conditions.

## **PARISH COUNCIL**

No objection.

## **PUBLICITY**

Adjoining properties have been notified, and site and press notices posted. No responses have been received.

## **ASSESSMENT**

This proposal is to retain and restore Snowdrop Cottage (a former peasant's cottage), which is a grade II listed building, including the demolition of an attached rear addition, in order to provide ancillary accommodation. It is also proposed to retain and restore an existing outbuilding (outbuilding D) to the front of Snowdrop Cottage and convert, rebuild and extend the existing outbuildings that wrap around Snowdrop Cottage to form a dwelling. It is also proposed to retain 16 free-standing solar panels to the rear of Snowdrop Cottage. The retention of a caravan and two storage containers for a temporary period for use by the applicant whilst the construction works are carried out is also proposed.

**The main issues associated with this proposal are whether it is acceptable in planning policy terms and if so, whether its impact on the listed building, open countryside, historic landscape, SSSI, flood plain and neighbours is also considered to be acceptable in planning policy terms, and if it is not considered that the proposal is acceptable in planning policy terms, whether there are any mitigating circumstances that justify departing from prevailing planning policy and granting the proposal.**

### **The site**

The site is located outside the development boundary of Haxey in the open countryside, and is surrounded by a wooded area. It is located within Haxey Turbary and is adjacent to an SSSI and two nature reserves. The site is also located within an Area of Special Historic Landscape Interest. The site itself comprises Snowdrop Cottage, an outbuilding located in front of Snowdrop Cottage (outbuilding D) and other outbuildings in various states of repair that wrap around Snowdrop Cottage. Also on the site are 16 solar panels located at the rear

of Snowdrop Cottage positioned in the ground. In front of Snowdrop Cottage is a mobile home and two steel containers. The buildings are set back from the main road but are visible due to the flat and open nature of the site. Snowdrop Cottage is a grade II listed building, which is falling into serious disrepair. It is of national significance as it is a unique and exceptional example of the survival of one of the smallest and least altered examples of a turbarry farmhouse which illustrates the living and working conditions of smallholders in the area from the mid-nineteenth century onwards.

### **The proposal**

The proposal involves the refurbishment and restoration of Snowdrop Cottage to bring it back to its original form. A small addition at the rear of Snowdrop Cottage will be demolished as part of the scheme. An existing outbuilding (outbuilding D) which is located in front of Snowdrop Cottage is to be retained and restored; this building forms part of the historic context of Snowdrop Cottage. Snowdrop Cottage is too small a building for the applicant to live in. As a result the collection of existing outbuildings of varying ages that wrap around Snowdrop Cottage will be partially converted, rebuilt and extended to form a three-bedroomed dwelling. These buildings formed the original farmstead complex. To the rear of these buildings are 16 free-standing solar panels which the applicant wishes to retain. The applicant also wishes to retain a mobile home and two steel containers on the site whilst construction works take place.

### **Planning policy**

In planning policy terms there is no objection to the retention and restoration of Snowdrop Cottage and outbuilding D which are buildings of national importance. Planning policies CS6 of the Core Strategy, HE5 of the North Lincolnshire Local Plan and advice given in paragraphs 128, 129, 131, 132, 137 and 140 of the National Planning Policy Framework. In terms of the new dwelling proposed on the site through the partial conversion, rebuilding and extending of the existing outbuildings, this is technically contrary to planning policy as a new dwelling is being created in the open countryside. However the special circumstances of this case are such that Snowdrop Cottage will not be used as a dwelling but as a building ancillary to the proposed dwelling and the original farmstead complex is being recreated on the site. Planning conditions can be used to ensure that Snowdrop Cottage and outbuilding D are only used for ancillary accommodation to the proposed dwelling on the site. In these terms no additional dwelling will be created on the site.

Paragraphs 55 and 140 of the National Planning Policy Framework permits new dwellings in the open countryside if the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets or where the development would re-use redundant disused buildings and lead to an enhancement to the immediate setting. It is considered that the importance of restoring Snowdrop Cottage for future generations and recreating the original farmstead complex overrides the planning policy objections to the proposal in terms of policy CS3 of the Core Strategy and policies RD2 and RD10 of the North Lincolnshire Local Plan.

The free-standing solar panels are located in the ground to the rear of Snowdrop Cottage and are a renewable energy source. This aspect of the proposal accords with policy CS18 of the Core Strategy and policy DS21 of the North Lincolnshire Local Plan.

## **Design**

In design terms, English Heritage support the scheme subject to conditions. The proposal will bring Snowdrop Cottage, a building of national importance, back to its original form to allow future generations to enjoy. The building is in a very poor state of repair and will be lost forever if works are not carried out immediately to preserve and rebuild it. This aspect of the proposal accords with paragraphs 128, 129, 131, 132, 137 and 140 of the National Planning Policy Framework, policies CS5 and CS6 of the Core Strategy and policy HE5 of the North Lincolnshire Local Plan.

In terms of the new dwelling proposed as a result of partial conversion, extension and rebuilding the existing outbuildings on the site, English Heritage have also raised no objection to this aspect of the scheme. The scheme is well designed to resemble a barn, appropriate in size to the rural location and respects the character and landscape of the rural area. The proposed new dwelling has been designed to safeguard the setting of Snowdrop Cottage and has no adverse impact on the character and appearance of this listed building. The proposal therefore accords with paragraphs 55, 56, 57, 128, 131, 132 of the National Planning Policy Framework, policies CS5, CS6 and CS7 of the Core Strategy, DS1, RD2, RD9, RD10 and HE5 of North Lincolnshire Local Plan.

The solar panels have been installed into the ground at the rear of Snowdrop Cottage. They are not particularly visible on the landscape and do not have an adverse impact on the setting of Snowdrop Cottage. This aspect of the proposal accords with policy CS18 of the Core Strategy and policies DS21 and HE5 of the North Lincolnshire Local Plan.

## **Flood risk**

The site is located in flood zone 2/3a and is therefore at a high risk of flooding. The development will only result in one additional dwelling on the site and the new dwelling will provide a betterment in terms of flood risk than the existing situation on the site. This is because the new dwelling can incorporate better flood protection mitigation measures within the building. The Environment Agency has no objections to the proposal subject to conditions. The proposal accords with paragraphs 100 of the National Planning Policy Framework, CS19 of the Core Strategy and policy DS16 of the North Lincolnshire Local Plan.

## **SSSI and nature reserve**

The site is located adjacent to an SSSI and nature reserve. The applicant has submitted a protected species report with the application. The council's ecologist, Natural England and Lincolnshire Wildlife Trust have raised no objections to the proposal subject to conditions relating to drainage, bats, nesting birds, clearance work and site boundaries. The proposal, subject to conditions, will accord with paragraph 118 of the National Planning Policy Framework, policies CS17 of the Core Strategy, DS1 and LC2 of the North Lincolnshire Local Plan.

## **Neighbours**

The site is located a considerable distance away from the nearest residential property so no loss of residential amenity will be caused to neighbours as a result of this development. The proposal accords with policy DS1 of the North Lincolnshire Local Plan.

**RECOMMENDATION Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: PA/2012/1235/01; letter, photographs and plans of mobile home, containers and solar panels date stamped 7 January 2013; PANTRY/2012/02; PA/2012/1235/02; PA/2012/1235/03; PA/2012/1235/04; PA/2012/1235/05 and PA/2012/1235/06.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The development shall be carried out in accordance with the amended details received by the local planning authority on 7 January 2013 and 26 February 2013.

Reason

In order to define the terms of the permission and to ensure that the character and appearance of the listed building is preserved and enhanced in accordance with policy HE5 of the North Lincolnshire Local Plan.

4.

Once the approved new dwelling is occupied the existing mobile home and two storage containers located on the site shall be removed from the site to the satisfaction of the local planning authority at all times.

Reason

In order to prevent additional residential accommodation on the site and to preserve the character and appearance of the open countryside in accordance with policy CS3 of the North Lincolnshire Core Strategy and policy RD2 of the North Lincolnshire Local Plan.

5.

Within one month of the date of this permission, details for the immediate protection of Snowdrop Cottage and outbuilding D to prevent further deterioration by covering exposed areas shall be submitted to and approved in writing by the local planning authority. Thereafter the approved scheme shall be implemented on site within one month from written approval and shall remain in force until the restoration of the buildings is completed.

Reason

In order to retain the character of the listed building in accordance with policy HE5 of the North Lincolnshire Local Plan.

6.

The approved repairs and restoration work to Snowdrop Cottage and outbuilding D shall be completed to the satisfaction of the local planning authority before the approved dwelling on the site is occupied.

Reason

In order to safeguard the listed building on the site for future generations in accordance with policy CS6 of the North Lincolnshire Core Strategy and policy HE5 of the North Lincolnshire Local Plan.

7.

Snowdrop Cottage and outbuilding D shall be used ancillary to the approved dwelling and not occupied as a separate dwelling(s) at any time.

Reason

The site lies in the open countryside where residential development is strictly controlled in accordance with policy CS3 of the North Lincolnshire Core Strategy.

8.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

9.

The surface water drainage and foul water drainage must not contaminate the Site of Special Scientific Interest (SSSI). Details of how this will be achieved and details of the scheme for the disposal of surface and foul water shall be submitted to and approved in writing by the local planning authority before development commences on site. Thereafter only the approved scheme shall be implemented on site and retained at all times.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan.

10.

Works on existing buildings on the site shall only commence outside the main winter hibernation period for bats, and any deviation from this will require working methods to be agreed in writing by the local planning authority.

Reason

In order to safeguard wildlife in accordance with policies CS17 of the North Lincolnshire Core Strategy and LC5 of the North Lincolnshire Local Plan and to protect wildlife in accordance with policy LC5 of the North Lincolnshire Local Plan.

11.

Two or more bat bricks or equivalent shall be incorporated into the new dwelling, the type and location of which shall be submitted to and approved in writing by the local planning authority beforehand. Thereafter, only the approved scheme shall be implemented on the site and retained as such at all times.

Reason

In order to safeguard wildlife in accordance with policies CS17 of the North Lincolnshire Core Strategy and LC5 of the North Lincolnshire Local Plan.

12.

Details of any external lighting on the site shall be submitted to and approved in writing by the local planning authority. Thereafter, only the approved scheme shall be implemented on the site and retained as such at all times.

Reason

In order to safeguard wildlife in accordance with policies CS17 of the North Lincolnshire Core Strategy and LC5 of the North Lincolnshire Local Plan.

13.

Two artificial swallow nests shall be added to the development and retained as described in section 5.2.3 of the submitted Protected Species Report dated June 2012. Photographs of this provision shall be submitted to the local planning authority. If any works are carried out in the nesting season (March to September) a search for nests shall be carried out before work commences and any active nests shall be protected until the young have fledged.

Reason

In order to safeguard wildlife in accordance with policies CS17 of the North Lincolnshire Core Strategy and LC5 of the North Lincolnshire Local Plan.

14.

Any clearance work in the immediate vicinity of the building complex shall be undertaken by hand and supervised by a suitably experienced ecologist as described in section 5.3.2 of the submitted Protected Species Report dated June 2012 in order to check for and safeguard any reptiles which may be present.

Reason

In order to safeguard wildlife in accordance with policies CS17 of the North Lincolnshire Core Strategy and LC5 of the North Lincolnshire Local Plan.

15.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.



16.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To enhance the appearance of the development in the interests of amenity.

17.

Before development commences on site details of any site boundary treatments shall be submitted to and approved in writing by the local planning authority. Thereafter, only the approved scheme shall be implemented on site and retained as such at all times.

Reason

In the interests of the visual amenity of the locality in accordance with policy DS1 of the North Lincolnshire Local Plan.

18.

Before development commences on site a detailed drawing at a scale of 1:50 showing the elevation of the new brick wall and gate shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be implemented on site and retained at all times.

Reason

In order to safeguard the listed building on the site for future generations in accordance with policy CS6 of the North Lincolnshire Core Strategy and policy HE5 of the North Lincolnshire Local Plan.

19.

No alteration or development shall take place until the applicant, or their agents or successors in title, has produced an historic building record in accordance with a written specification, including a timetable for recording which has been submitted by the applicant and approved in writing by the local planning authority.

Reason

To comply with policies HE5 and HE9 of the North Lincolnshire Local Plan.

20.

The historic building recording shall be carried out in accordance with the approved details and timings subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policies HE5 and HE9 of the North Lincolnshire Local Plan.

21.

The historic building archive shall be deposited at the North Lincolnshire Environment Record within six months of the date of the commencement of the development hereby

approved by this permission or other such period as may be agreed in writing by the local planning authority.

#### Reason

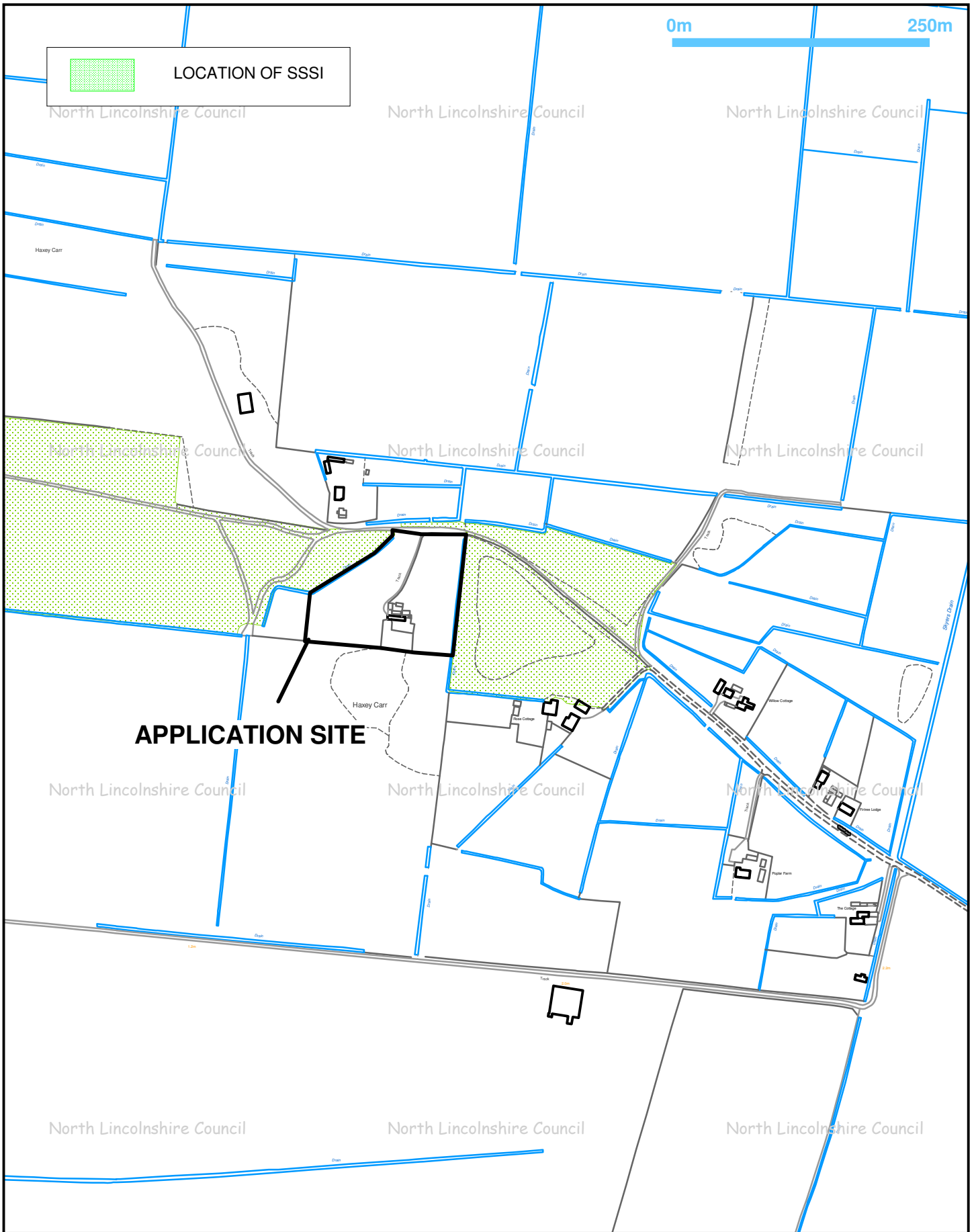
To comply with policies HE5 and HE9 of the North Lincolnshire Local Plan.

#### Reasons for approval

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would enhance the character of the area and safeguard the historic buildings, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are paragraphs 55, 61, 128, 129, 131, 132, 137 and 140 of the National Planning Policy Framework, policies CS1, CS2, CS3, CS5, CS6, CS7, CS8, CS17, CS18 and CS19 of the North Lincolnshire Core Strategy, and policies DS1, RD2, RD9, HE5, LC2, LC14, T2, DS21 and DS16 of the North Lincolnshire Local Plan.

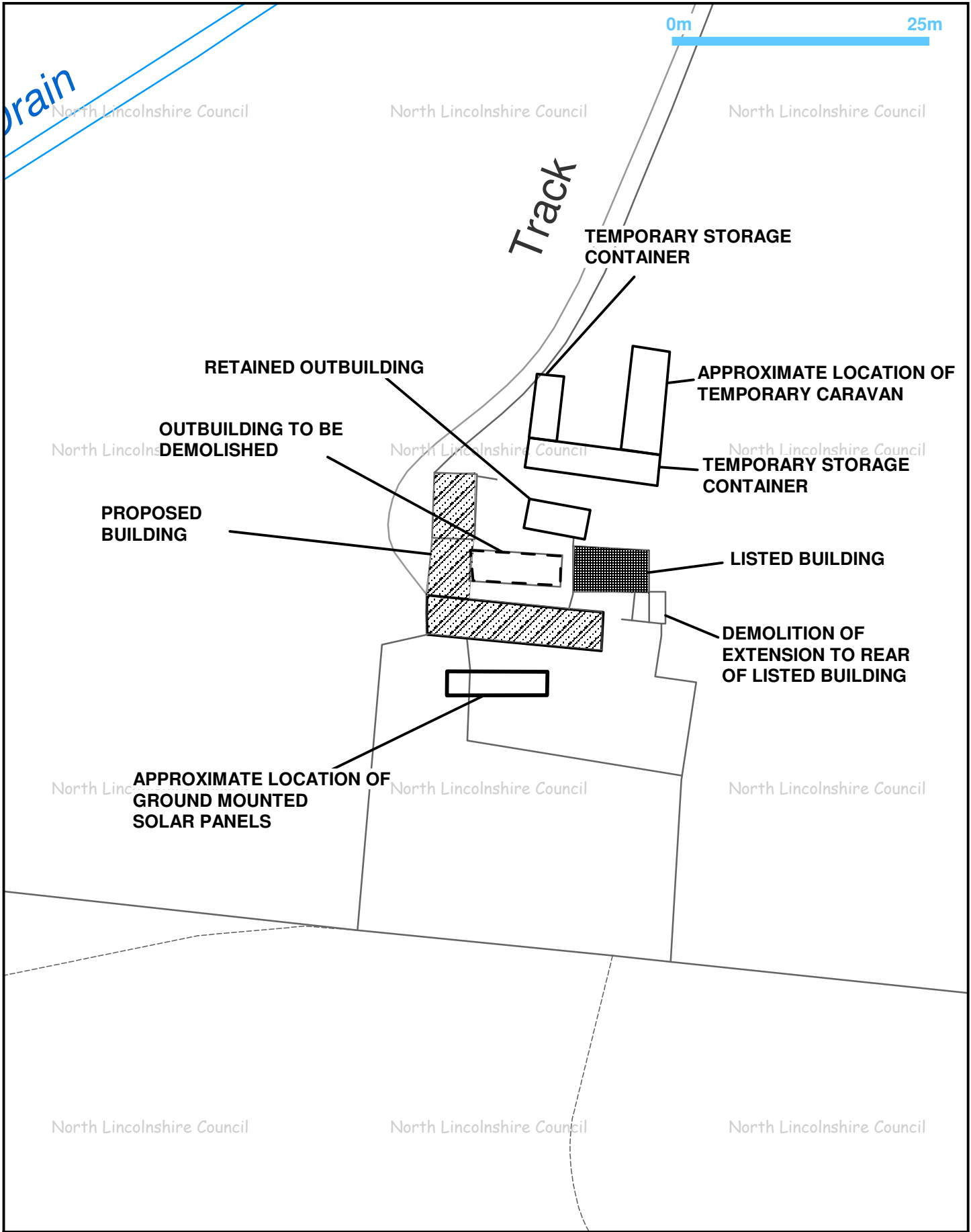
#### Informatives

1. The applicant is advised to raise finished floor levels and/or make the dwelling flood resilient up to 4.1m AOD.
2. The applicant is advised that contractors need to be briefed on the legal protection afforded to bats and the procedure to be followed if bats are discovered on the site as specified in Appendix 2 of the submitted Protected Species Report dated June 2012
3. The applicant is advised to contact the North Lincolnshire Historic Environment Record for an explanation about the historic building recording and written specification at least 20 working days prior to the proposed commencement of development (email [alison.williams@northlincs.gov.uk](mailto:alison.williams@northlincs.gov.uk) or telephone 01724 297471)
4. In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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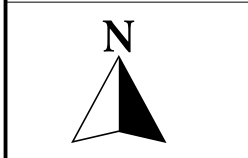


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