

<b>APPLICATION NO</b>	<b>PA/2010/0124</b>
<b>APPLICANT</b>	Mr C Layton
<b>DEVELOPMENT</b>	Planning permission to convert a piggery to residential use and raise the height of the roof
<b>LOCATION</b>	Piggery adjacent to Wakefield Lodge, Low Hall Road, East Lound, Haxey
<b>PARISH</b>	<b>HAXEY</b>
<b>WARD</b>	Axholme South
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Eckhardt)

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

**North Lincolnshire Local Plan:** Policy ST2 – the site is located within the rural hamlet of East Lound which has no development boundary.

Policy ST3 – the site lies within the open countryside where new dwellings are only permitted if they are essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.

Policy H1 – residential development will only be permitted where it is essential to enable agricultural and forestry workers to live at or near their place of work, or in other circumstances where there is special justification.

Policy RD2 identifies development which is considered to be acceptable within the open countryside.

Policy RD9 relates to the re-use and/or adaptation of rural buildings for residential use in the open countryside. The policy lists all the criteria which must be fulfilled in order for the conversion to be acceptable in planning terms.

Policy LC14 – the site is located within an Area of Historic Landscape Interest.

Policy DS1 provides general design guidance for all new development.

**Planning Policy Statement 7 – Sustainable Development in Rural Areas:** Paragraph 17 gives advice in relation to the re-use of buildings in the countryside.

## **CONSULTATIONS**

**Highways:** No objection subject to conditions (numbers 5 and 6).

**Environment Agency:** No response.

## **PARISH COUNCIL**

Supports the application and endorses the comments made by the Internal Drainage Board.

## **PUBLICITY**

Neighbouring properties have been notified and a site notice posted. No responses have been received.

## **ASSESSMENT**

This proposal is to convert an existing piggery building to a dwelling. The building is long, linear and single-storey. It is constructed in brick with a corrugated roof. The windows and doors are constructed in timber. Internal alterations are proposed to form habitable accommodation inside the building within the ground and new first floor. Externally the applicant is proposing to replace the corrugated roof with a pantiled roof and raise the height of the building slightly in order to increase the head height inside the building. This increase in height will be achieved by a new brick dentil course of three bricks deep. The majority of the existing windows and door openings will be retained in situ. The front and rear elevations will have new windows and doors. Rooflights are also proposed in the building to provide light to the accommodation at first floor.

**The main issues associated with this application are whether the building is suitable for conversion to residential use in terms of policy RD9, and if so, whether the alterations proposed are acceptable. The impact the proposal has on the amenity of the locality and neighbours, and on the highway network must also be established.**

The site is located within the rural hamlet of East Lound which has no development boundary and is regarded as open countryside. Policy ST3 states that new dwellings are not normally permitted unless for agricultural or forestry purposes or to meet a special need associated with the open countryside. Policy RD2(v) permits the re-use and adaptation of existing rural buildings. In terms of policies ST3 and RD2, these policies do allow the re-use of rural buildings for residential purposes subject to a number of specified criteria being fulfilled.

Policy RD9 permits the conversion of rural buildings in the open countryside for residential use subject to strict criteria being fulfilled. In the case of RD9(i) the building must be of architectural or historic importance to the rural scene, and be substantial and of permanent construction capable of conversion without major alteration. The design must retain and respect the original character of the building and be in keeping with its surroundings. Any extension should respect the scale and appearance of the original building. The applicant must have marketed the building at a realistic price for commercial or residential use for a minimum period of six months before a proposal for residential use will be considered. A bat and barn owl survey is also required.

In this case, the building is a former piggery. The applicant has submitted details that the building has been marketed for commercial use for a minimum period of six months and a bat and barn owl survey has been carried out. The piggery is a substantial building and appears to be structurally sound. Although it is a rural building, it has limited architectural features and the building is falling into disrepair. However, the main interest of the building

is the number of stable/barn doors and windows located along the two long side elevations of the building. They create a linear, rhythmic pattern along both elevations which is a feature rarely seen on a rural building of this nature. These windows are all timber and the doors are also timber and are a stable-type door. It is these features on the building which make it interesting to the rural scene and worth preserving.

In terms of the alterations to the building, the applicant wishes to increase its height in order to provide sufficient head height within the building and to provide first floor accommodation within the roof space. This alteration is considered to be a major alteration as the building is characterised by its low height because the original building is single-storey with a shallow roof pitch. However, the increase in height is minimal and the building will still appear single-storey in form. The roof pitch will be increased from 32 degrees to 35 degrees which is marginal. The original piggery had a pantiled roof and the applicant is intending to re-roof the building with pantiles. This will bring the building back to its original form and improve its visual appearance and its appearance in the landscape. As a result, it is considered that the building is of some historic importance and should be retained and re-used for residential purposes. The proposal therefore accords with policy RD9 of the North Lincolnshire Local Plan.

In terms of impact on adjoining neighbours, no loss of residential amenity would be caused by this proposal. The impact of the re-use of the building on the highway network is also considered to be acceptable. This rural building is a feature in the rural landscape of the Isle of Axholme. The alterations and re-use of the building will improve its appearance on the landscape. The proposal therefore accords with policy LC14 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: CRB1, CRB2, CRB3 and CRB4.

Reason

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

3.

All development shall be carried out outside the birds nesting season or a nesting bird survey shall take place immediately prior to works commencing. If any active nests are found a buffer zone shall be placed around them and remain undisturbed until the young have fledged.

Reason

In order to comply with policy LC5 of the North Lincolnshire Local Plan.

4.

Before development commences on site, details of the provision of a bat roof and bird nesting boxes within the site 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 order to comply with policy LC5 of the North Lincolnshire Local Plan.

5.

The dwelling shall not be occupied until the vehicular access to it and the vehicle parking and turning space(s) serving it have been completed and, once provided, the vehicle parking and turning space(s) shall be retained.

**Reason**

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

The proposed dwelling shall not be occupied until the private driveway has been constructed, in accordance with the approved details, up to the junction of the vehicular access serving it.

**Reason**

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

No development shall take place until a scheme for the disposal of foul and surface water has been agreed in writing by the local planning authority and none of the dwellings shall be occupied until it is connected to the approved drainage system.

**Reason**

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

8.

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part 4 has been complied with in relation to that contamination.

**Part 1: Site Characteristics**

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health
  - property (existing or proposed), including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land
  - groundwaters and surface waters
  - ecological systems
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and a proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

### **Part 2: Submission of Remediation Scheme**

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### **Part 3: Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

### **Part 4: Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2,

which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Part 3.

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.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order re-enacting that order with or without modification), no new window or door openings shall be created in any wall or roof plane of the building other than those shown on the submitted plan.

Reason

In order to retain the character of this agricultural building in accordance with policy RD9 of the North Lincolnshire Local Plan.

10.

Notwithstanding the provisions of Classes A, B, C, D, E, G and H of Part 1 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, no extensions shall be installed on the approved building and no new buildings shall be installed on the site other than those expressly authorised by this permission.

Reason

In order to retain the character of this agricultural building in accordance with policy RD9 of the North Lincolnshire Local Plan.

11.

Before the dwelling is occupied, the obscure glazed windows specified on drawing number CRB3 in the west elevation shall be obscure glazed and retained in that condition thereafter.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.

12.

All the approved external windows and doors shall be constructed from timber at all times. Before development commences on site, joinery details for the windows and doors 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 order to retain the character of this agricultural building in accordance with policy RD9 of

the North Lincolnshire Local Plan.

13.

No development shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

14.

Before development commences, details of the colour/staining of the external paintwork to the approved windows and doors 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 order to retain the character of this agricultural building in accordance with policy RD9 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

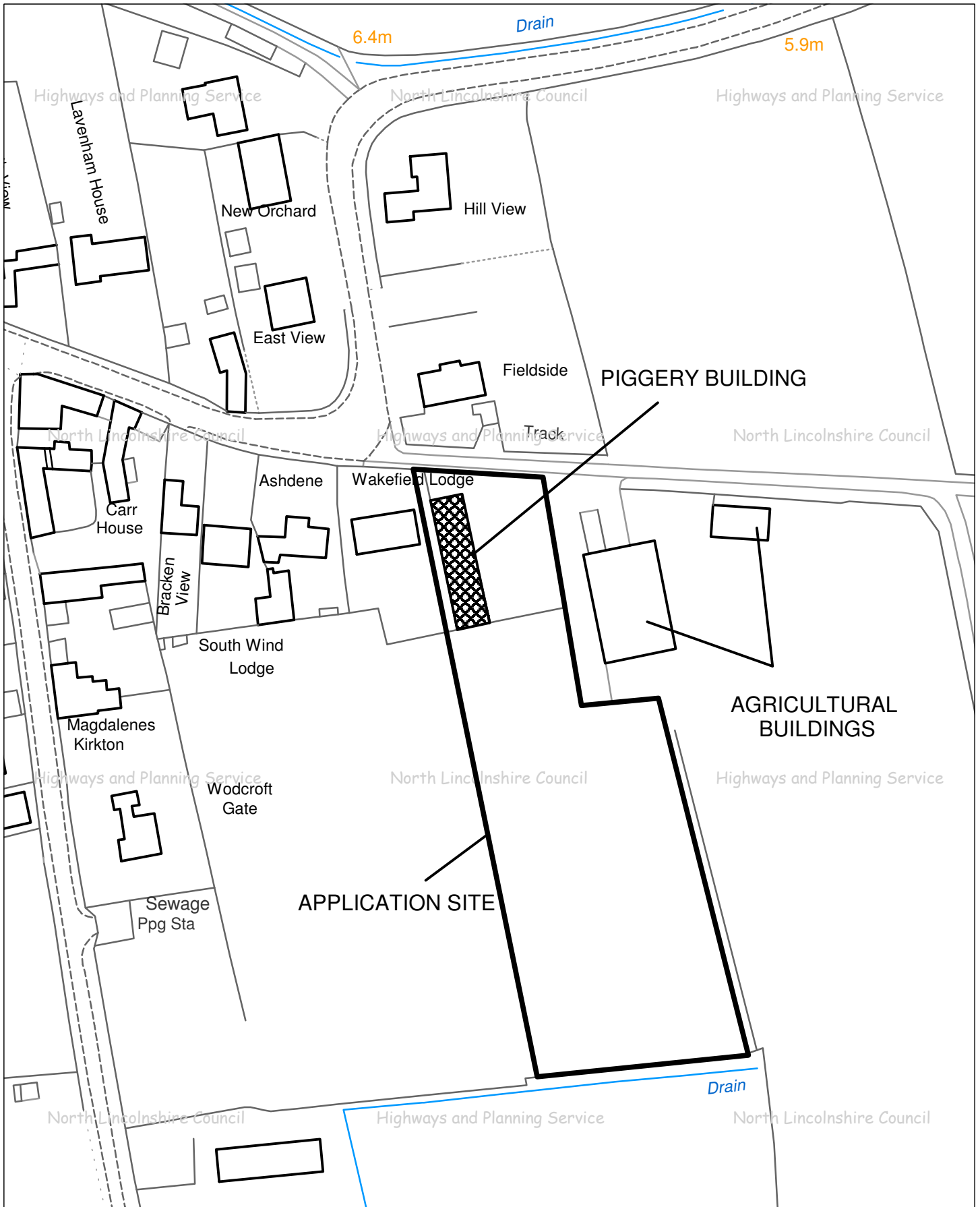
To enhance the appearance of the development in the interests of amenity.

17.

Before development commences on site, details of the boundary treatment for the approved dwelling 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 order to retain the character of this agricultural building in accordance with policy RD9 of the North Lincolnshire Local Plan.



Drawing Title: PA/2010/0124

OS Grid Ref: SK78959970

Drawn by: SJB

Scale: 1:1250

Date: 13/05/2010



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**Highways and Planning Service**

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