

APPLICATION NO	PA/2010/0876
APPLICANT	Villecom Ltd
DEVELOPMENT	Planning permission for a change of use and extension of a barn to form two self-contained dwellings
LOCATION	Northfield Farm, Main Street, Thornton Curtis
PARISH	THORNTON CURTIS
WARD	Ferry
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Contrary to policy

POLICIES

North Lincolnshire Local Plan: Policy ST2 (Settlement Hierarchy) – the site lies within the rural hamlet of Thornton Curtis which has no development boundary.

Policy ST3 (Development Limits) – Thornton Curtis has no development boundary and therefore lies within the open countryside. Within the open countryside development will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the open countryside.

Policy RD2 (Development in the Open Countryside) lists the type of development considered to be acceptable within the open countryside.

Policy RD9 (Re-use of Rural Buildings for Residential Use in the Open Countryside) permits the conversion of rural buildings for residential use subject to strict criteria being fulfilled.

Policy T2 (Access to Development) requires all development to be provided with a satisfactory access.

Policy DS1 (General Requirements) provides general design guidance for all new development.

PPS7: Sustainable Development in Rural Areas provides general advice in relation to new development within rural areas.

CONSULTATIONS

Highways: No objections subject to conditions (3 to 7).

Environment Agency: Views awaited.

PARISH COUNCIL

'No concerns about the proposal for two dwellings, and note with approval the care taken to preserve the appearance of the original building. We note there is likely to be further development on this farm yard site. We would be concerned if the site were to be over-developed in any subsequent planning applications, as this could have an impact on existing dwellings in the immediate area. We request that there is an assessment of potential traffic calming measures. With reference to the present application, and more so with regard to any future planning applications, we have serious concerns about the safety of traffic and pedestrians in Main Street. The village main street has become extremely busy, particularly with heavy lorries and other through traffic. The speed limit is frequently ignored, particularly in the area by the proposed development which is near to the restriction signs. The entrance is also near to a bend. A new heavily used entrance will add significantly to the dangers in this residential and commercial area.'

PUBLICITY

Adjoining properties have been notified and a site notice posted. Two letters of objection have been received raising the following material planning issues:

- applicants' intention is to develop five dwellings on the site
- Thornton Curtis cannot support additional dwellings as lack of services/infrastructure
- access is not satisfactory for vehicles or pedestrians
- lack of footway for pedestrians
- speed limit is regularly exceeded
- increase in vehicular traffic
- over-development
- loss of residential amenity
- loss of character to the area
- increased noise and disturbance
- sewage system is inadequate

ASSESSMENT

This proposal is to change the use of an existing barn with some small extensions to form two self-contained dwellings. There is an extant permission (PA/2008/0513) to convert the building to one dwelling. There are also other rural buildings on the site. There is another extant permission (PA/2009/1105) for a residential conversion on the barn that lies to the west of the barn the subject of this application.

The building is a very long linear barn located adjacent to the main road. An existing access to the north of the barn will be used to serve the two dwellings. The design of the conversion is very similar to that approved under planning permission PA/2008/0513.

The main issues associated with this proposal are whether, in planning policy terms, the proposed conversion of the building to two self-contained dwellings is acceptable. If this is the case, then the design of the conversion must be carefully assessed, and its impact on the settlement of Thornton Curtis, on neighbours and on the highway network must also be established.

The principle of conversion of this rural building to a dwelling has already been established by virtue of planning permission PA/2008/0513. The building has previously been marketed for commercial uses and a structural survey has previously been carried out. Following the approval for residential conversion, the building has not been developed as it has been considered that the building is too large for one dwelling and it is preferable to convert the building to two self-contained dwellings.

In this particular case the site is located within the open countryside but is within the main area of Thornton Curtis. Thornton Curtis has a limited range of services but the site is close to a church, public house and small commercial premises and is located on a main bus route.

The building is a very large linear building and it is accepted that the building is too large to be converted to one dwelling which has resulted in the building being unable to be sold. The conversion to two self-contained dwellings creates two smaller rural dwellings of a size that is more in character with other more modest rural dwellings within Thornton Curtis. With regard to sustainability, balance and consideration must be given to retain the barn in situ bearing in mind its good rural character and its importance to the character and appearance of the rural settlement of Thornton Curtis. In light of the advice given in PPS7, the desirability to retain the building in situ, the fact that the sheer size of the building has proved it to be unviable for the conversion to one dwelling and the fact that it is located within the hamlet of Thornton Curtis, it is considered that there is a special justification to allow the conversion of this unique building to two self-contained dwellings.

In terms of policy RD9 the proposal has been designed to a high standard and maintains the integrity of the original building. Small extensions to the building facilitate the conversion to two dwellings. The building, as seen from Main Street, will be retained and therefore its rural character will be retained. The conversion will allow this important rural building to be retained and brought into use for future generations. The proposal therefore accords with policy RD9 of the North Lincolnshire Local Plan.

Concerns relating to traffic are noted. The application is for two dwellings and not for five dwellings. Each application must be determined on its merits and speculation of further development on this site cannot be taken into consideration at this time. In terms of highway issues, Highways raise no objections to the proposal. As a result the access arrangements and vehicular and pedestrian movements to and from the site are considered to be acceptable. The proposal therefore accords with policy T2 of the North Lincolnshire Local Plan.

The proposal is not considered to result in any loss of residential amenity to adjoining properties. The use of effective boundary treatment will secure privacy to the dwellings and it is not considered that the proposal will significantly increase noise or disturbance to the area. The proposal therefore 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: AB 338 - A113, AB 338 - A112, AB 338 - A100, AB 338 - A107, AB 338 - A115, AB 338 - A112, AB 338 - A118, AB 338 - A106 and AB 338 - A101.

Reason

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

3.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

4.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

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

5.

No development shall begin until details of the private driveway, including drainage and lighting arrangements, have been submitted to and approved in writing by the local planning authority and no dwelling on the site shall be occupied until the private driveway has been constructed in accordance with the approved details. Once constructed the private driveway 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 other works shall be commenced on the site until the access road junction with the adjacent highway, including the required visibility splays, has been set out and established.

Reason

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

8.

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

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

9.

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 policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

10.

The historic building archive shall be deposited at the North Lincolnshire Sites and Monuments Record within six months of the date of the commencement of the development hereby approved by this permission or such other period as may be agreed in writing with the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

11.

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.

12.

All measures outlined in the following sections of the submitted environmental assessment shall be carried out in full:

- conclusions and recommendations
- mitigation proposals
- biodiversity management plan.

The mature trees, hedgerows and nesting and roosting features described in the environmental assessment shall be retained thereafter.

Reason

To conserve features of nature conservation importance in accordance with policies DS1, LC5 and L12 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.

Notwithstanding the provisions of Classes A, B, C, D and E 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 or alterations shall be carried out to the approved dwellings and no buildings shall be installed on the site other than those expressly authorised by this permission.

Reason

In order to regulate and control the development in accordance with policy RD9 of the North Lincolnshire Local Plan.

15.

Before development commences on site detailed sections of the approved timber windows (drawn to a scale of 1:10 or 1:20) 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

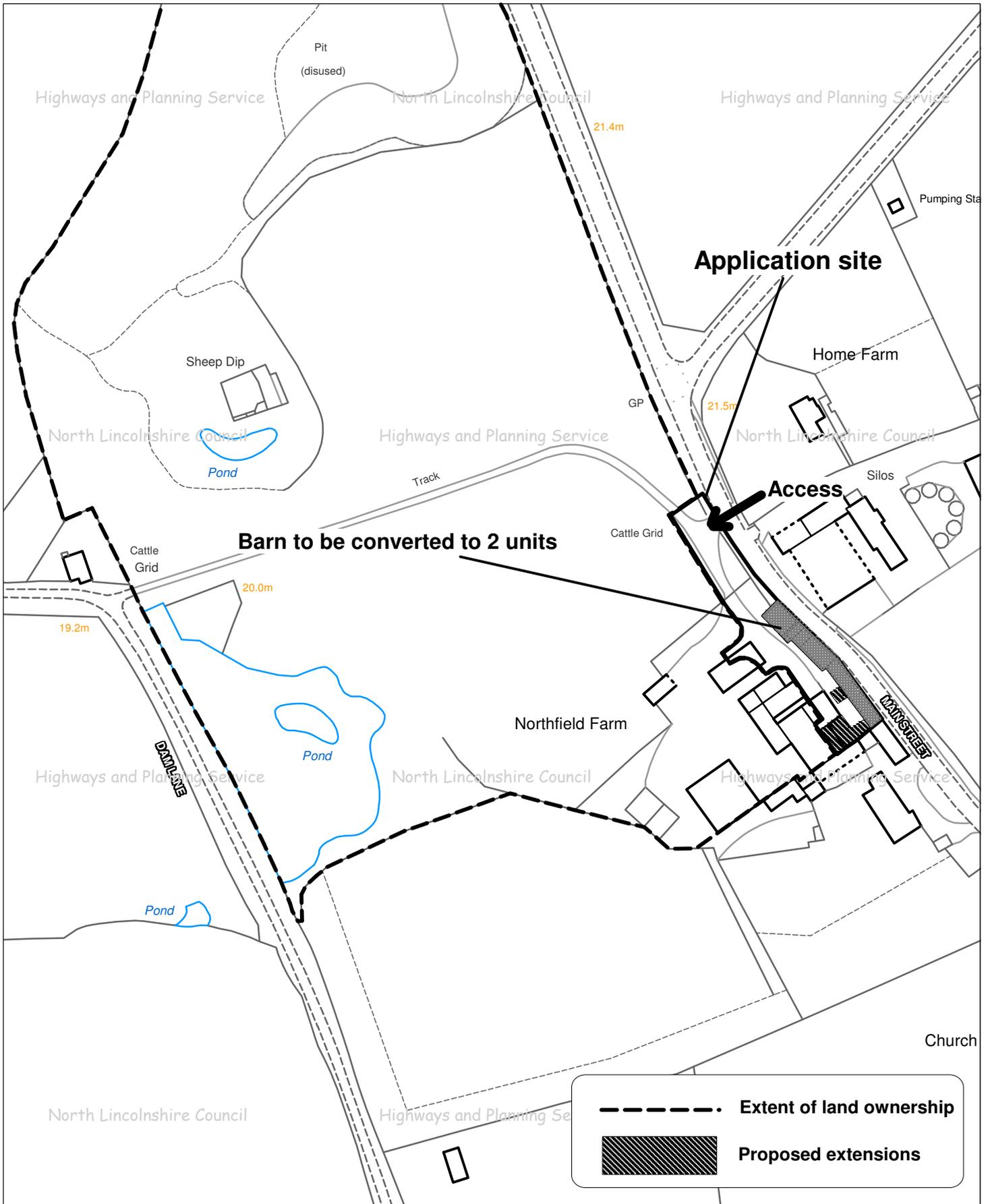
In order to regulate and control the development in accordance with policy RD9 of the North Lincolnshire Local Plan.

16.

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 openings shall be created in any wall or roof plane of the approved dwellings other than those shown on the submitted plan.

Reason

In order to regulate and control the development in accordance with policy RD9 of the North Lincolnshire Local Plan.



Drawing Title: 2010/0876

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NORTH LINCOLNSHIRE COUNCIL 0100023560 2010



Highways and Planning Service

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