

<b>APPLICATION NO</b>	<b>PA/2010/1139</b>
<b>APPLICANT</b>	Villecom Ltd
<b>DEVELOPMENT</b>	Planning permission for the conversion and extension of barns to form two dwellings
<b>LOCATION</b>	Barns west of Northfield Farmhouse, Main Street, Thornton Curtis
<b>PARISH</b>	<b>THORNTON CURTIS</b>
<b>WARD</b>	Ferry
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Thornton Curtis Parish Council

## **POLICIES**

**Planning Policy Statement 7** – Sustainable Development in Rural Areas – provides general advice in relation to new development within rural areas.

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

**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 the site therefore lies within 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 satisfied.

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

## **CONSULTATIONS**

**Highways:** No objection subject to conditions (numbers 3 to 7).

## **PARISH COUNCIL**

Object on the following grounds:

- extends and nearly doubles the footprint of the two previous applications PA/2009/1105 and PA/2008/0513

- contrary to current local development plan which shows Thornton Curtis as a nil development village
- proposal would result in an increase in traffic accessing the A1077 and with no footpath on the development side of the road, it would present a traffic hazard
- Thornton Curtis does not have the facilities to support this development

## **PUBLICITY**

Neighbouring properties have been notified and a site notice posted. Two letters of objection have been received in which the following concerns have been raised, together with some non-material planning issues:

- dangerous access onto A1077
- contrary to settlement policy
- Thornton Curtis cannot support additional dwellings due to lack of services/infrastructure
- the garage extensions would have an adverse impact on the appearance of barns three and four, as would the extension of living accommodation to barn three
- loss of privacy to nearby dwelling
- loss of character to the area

## **ASSESSMENT**

This application relates to a group of redundant barns to the south-west of Main Street, formerly part of Northfield Farm. It is proposed to change the use of two linked barns with small extensions for garages to form two self-contained dwellings. There is an extant permission (PA/2009/1105) to convert the buildings to one dwelling. Planning permission was granted recently (PA/2010/0876) to convert a long linear barn located adjacent to the main road to two dwellings, having previously had the benefit of conversion to one dwelling. An existing access to the north of the site will be used to serve all the dwellings.

**The main issues which need to be addressed in determining this application are whether the proposal is sustainable in this open countryside setting and whether the conversion retains the rural character of the existing buildings without adversely affecting neighbouring properties or the highway network.**

The principle of converting this rural building has already been established by virtue of planning permission (PA/2009/1105). The building has previously been marketed for commercial uses and a structural survey has been carried out to demonstrate that conversion is viable.

The site is located within the open countryside but within the main body of Thornton Curtis. The village 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 busy bus route. Consequently it can be considered a reasonably sustainable location.

It is accepted that the two barns together are too large to be converted to one dwelling, which has probably resulted in the building still being unsold. The conversion to two dwellings creates two smaller rural dwellings of a size more in character with the more modest rural dwellings in Thornton Curtis.

The proposal has been designed to a high standard and preserves the important characteristics of the original buildings. The garage extensions are not significant and do not adversely affect the character of the existing barns.

Concerns relating to traffic are noted. However, in terms of highway issues, Highways have raised no objection to the proposal. As such the access arrangements and vehicular and pedestrian movements to and from the site are considered to be acceptable. There will be no loss of privacy to any neighbouring property. The adjoining dwelling to the south is screened from the site by substantial boundary walls and existing buildings.

The council's Sites and Monuments Record Officer has identified the site as one of archaeological importance and has requested a watching brief on archaeology grounds should permission be granted. The Environmental Protection team have identified the site as a possible source of contamination and have requested appropriate conditions.

**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 - A100, AB 338-A211, AB 338-A215, AB 338-A207, AB 338-A212 and AB 338-A102.

Reason

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

3.

Any gates or gate positions at the vehicular access shall be set back a minimum distance of 5 metres from the nearside carriageway edge.

Reason

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

4.

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.

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.

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.

7.

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.

8.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories

- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (vii) monitoring arrangements, including the notification in writing to North Lincolnshire's Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

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

9.

The archaeological mitigation strategy 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.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at North Lincolnshire's Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be 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.

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.

No development shall take place until a revised biodiversity management plan has been submitted to and approved in writing by the local planning authority.

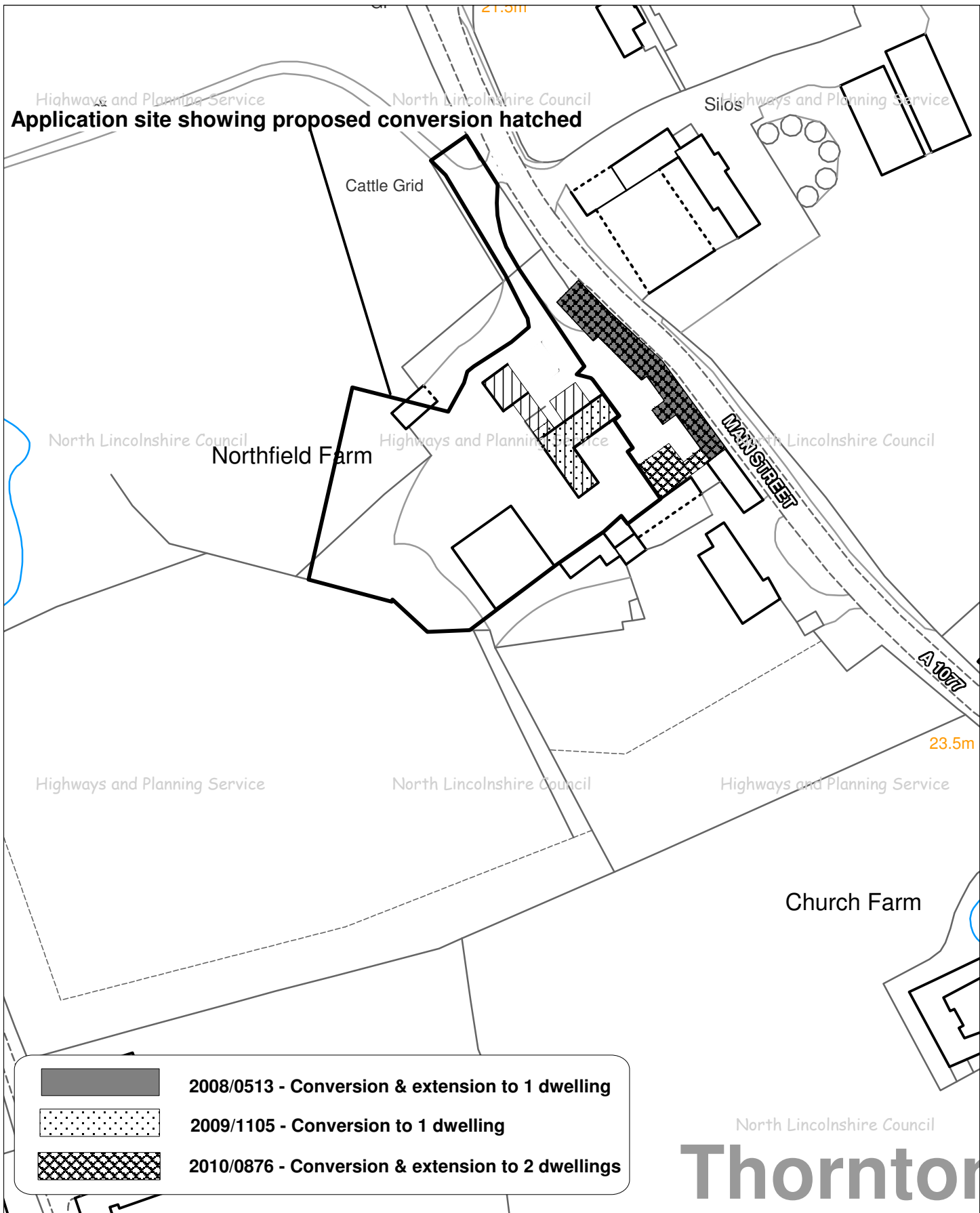
The plan shall include:

- (i) details of roosting features to be installed to support Pipistrelle bat (*Pipistrellus* spp) and brown long-eared bat;
- (ii) proposed timings for the installation of the above features in relation to the completion of each building;
- (iii) details of measures to be taken during the construction phase of the proposal to avoid harm to bats, nesting birds and other protected species or priority species, including details of sensitive wood treatment;
- (iv) restrictions on external lighting to avoid impacts on bat roosts, bat foraging areas and sensitive habitats.

The management plan shall be carried out in accordance with the approved details and timings and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority.

#### Reason

To protect features of recognised nature conservation importance in accordance with policies LC5 and DS1 of the North Lincolnshire Local Plan.



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**Highways and Planning Service**  
Service Director,  
G Pople

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