

<b>APPLICATION NO</b>	<b>PA/2010/1413</b>
<b>APPLICANT</b>	Mr & Mrs M Device
<b>DEVELOPMENT</b>	Planning permission for the conversion of barns to a dwelling
<b>LOCATION</b>	Barns at Woodlands Farm, Woodhouse Lane, Woodhouse, Belton
<b>PARISH</b>	<b>BELTON</b>
<b>WARD</b>	Axholme Central
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Belton Parish Council

## **POLICIES**

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

**North Lincolnshire Local Plan:** Policy RD2 (Development in the Open Countryside) only allows proposals for development in the open countryside which are essential to the efficient operation of agriculture or forestry; employment-related development related to the open countryside; affordable housing; outdoor sport or countryside recreation provision; re-use and adaptation of existing rural buildings; farm diversification; replacement, alteration or extension of existing dwellings; or essential for the provision of roadside or utility services; provided that the open countryside is the only appropriate location and development cannot be accommodated within defined development boundaries; the proposal accords with other specific requirements of this chapter of the local plan; it would not be detrimental to the character or appearance of the open countryside or nearby settlement in terms of siting, scale, massing, design or materials; it would not adversely affect residential amenity or highway safety; the proposal must be capable of being served by public transport; and make the best use of existing and new landscaping.

Policy RD9 (Re-use and/or Adaptation of Rural Buildings for Residential Use in the Open Countryside) states that proposals for the conversion of rural buildings in the open countryside for residential use will only be permitted if:

- (i) the building is of architectural or historic importance to the rural scene and is of substantial and permanent construction capable of conversion without major alteration;
- (ii) it can be demonstrated that residential re-use or adaptation is the only way to retain a building in viable continued use and/or secure the retention/improvement of the building;
- (iii) the development will not create a need for new buildings to house activities displaced by conversion;

- (iv) the general design of the conversion retains and respects the original character of the building and is in keeping with its surroundings. Any extension should respect the scale and appearance of the original building; and
- (v) the development will not lead to the loss of habitat for protected species.

Policy LC5 (Species Protection) states that planning permission will not be granted for development or land use change which would have an adverse impact on protected species. Where development is permitted that may have an adverse effect on protected species, conditions or the use of planning agreements will be considered to:

- (i) facilitate the survival of individual members of the species; and
- (ii) reduce disturbance to a minimum; and
- (iii) provide adequate alternative habitats to sustain at least the current levels of population.

Policy DS1 (General Requirements) also applies and sets out the general primary requirements for all new developments in North Lincolnshire; these relate to quality of design, amenity, conservation, resources and utilities/services.

## **CONSULTATIONS**

**Highways:** Advise a condition (3).

**Severn Trent Water Ltd:** No objection, but draw the applicants' attention to the fact that there is a public sewer located within the site, which must not be damaged during construction.

**Environment Agency:** No objection.

## **PARISH COUNCIL**

Belton Parish Council object to the proposal on the grounds that there are bats nesting at the Old Station House, King Edward Street, Belton and that guidelines state that planning permission should be refused if there are bats nesting within 1 kilometre of the site.

## **PUBLICITY**

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

## **ASSESSMENT**

The application site comprises three small, single-storey rural buildings located within the grounds of Woodlands Farm, Woodhouse, Belton. The buildings face into a hard-paved central courtyard area which is bounded by a 1.1 metre high brick wall along its southern and south-eastern boundaries. The buildings in question were originally used as stables and storage. They are of brick and tile construction with timber doors and windows, however modern repairs to the buildings have introduced some areas of concrete tiles and UPVC doors and windows in one of the buildings. This application seeks planning

permission for the conversion of the existing buildings into a dwelling, including the erection of two small link extensions to form a single building.

There was a previous application (PA/2009/1481) submitted for the conversion of these buildings which was refused due to the modern repairs that had been carried out on the buildings and because they had not been marketed for six months in order to comply with policy RD9 of the North Lincolnshire Local Plan. The required marketing has now been undertaken without interest and the applicants have agreed to replace the modern repairs with traditional, authentic materials in keeping with the character and appearance of the building.

**The main issues in the determination of this planning application are whether the proposed conversion complies with policy RD9 and whether it will unacceptably impact on nesting bats in the area.**

As outlined above, the previous planning application on this site was refused as it was considered to be contrary to policy RD9 (Re-use and/or Adaptation of Rural Buildings for Residential Use in the Open Countryside). This was because the modern alterations and repairs to the building were considered to detrimentally alter the existing character and appearance of the buildings and because it had not been proven that conversion to a dwelling was the only way that they might be retained. The applicants have agreed that the modern alterations to the buildings, such as areas of concrete roof tiles and the addition of some UPVC doors and windows, will be replaced with authentic, traditional building materials, and that all new construction will be similarly constructed of materials which retain and enhance the character and historic merit of the buildings.

Additionally, marketing information has now been provided, which shows that the buildings have been marketed for six months consecutively at a reasonable price and that no interest has been forthcoming. The proposal will result in a dwelling with a high standard of design that will retain and indeed enhance the character and appearance of a nice collection of traditional rural buildings. Therefore the proposal is now considered to comply with the provisions of policy RD9 of the North Lincolnshire Local Plan.

A bat survey has been submitted as part of the planning application and this has concluded that there are no signs of bats being present within the buildings and that the buildings have moderate roosting potential. It goes on to recommend that further survey work should be carried out between May and August. The Environment Team have objected to the application on the grounds that this further survey work should be carried out before planning permission is granted to ascertain whether there are indeed any bats using the building for roosting. Conditions have been recommended which would overcome the concerns of the Environment Team. These conditions require that before conversion work commences, a scheme is submitted to and agreed in writing with the local planning authority for the provision of bat roosts on the site and that these must be implemented within three months of the development being completed. Another condition has been recommended which will require building work to cease should bats or signs of bats be found during construction work. Should this occur, a written method statement is required to be submitted to and agreed by the local planning authority detailing the measures that will be taken to protect bats during further construction works. All identified and agreed mitigation measures will have to be completed in full before development recommences. Even though the bat report shows no evidence of bats and ranks the barns as having only moderate roosting potential, these conditions will protect and provide for bats in the unlikely event that they are present in the buildings.

**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: 001, 002, 003, 004, 005 and 006.

**Reason**

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

3.  
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.

4.  
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.

5.  
No development shall take place until details have been submitted to and approved in writing by the local planning authority of measures to be undertaken to ensure that the provision of bat roosting sites are incorporated within the development. The agreed bat roosting sites shall be incorporated within three months of the development being completed.

**Reason**

To safeguard the habitat of a protected wildlife species in accordance with policy LC5 of the North Lincolnshire Local Plan.

6.  
If, during development, bats or signs of bats using the barns are found to be present on the site, then development shall cease and no further development shall be carried out until a written method statement of how the presence of the bats will be dealt with has been submitted to and approved in writing by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on site.

Reason

To safeguard the habitat of a protected wildlife species in accordance with policy LC5 of the North Lincolnshire Local Plan.

7.

No development shall take place until a nesting birds method statement has been submitted to and approved in writing by the local planning authority. This statement shall include a description of measures to exclude birds from the development site during construction. All works shall be carried out in accordance with the approved method statement unless otherwise agreed in writing by the local planning authority.

Reason

To safeguard the habitat of a protected wildlife species in accordance with policy LC5 of the North Lincolnshire Local Plan.

8.

Notwithstanding the provisions of Classes A, B, C, D, E and G of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2008 or any order revoking and re-enacting that order with or without modification, no extensions, alterations, outbuildings, or means of enclosure shall be erected on the site other than those expressly authorised by this permission.

Reason

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

9.

All windows and external doors shall be constructed from timber at all times. Before development commences on site joinery details of the windows and external doors shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved scheme shall be implemented on site at all times.

Reason

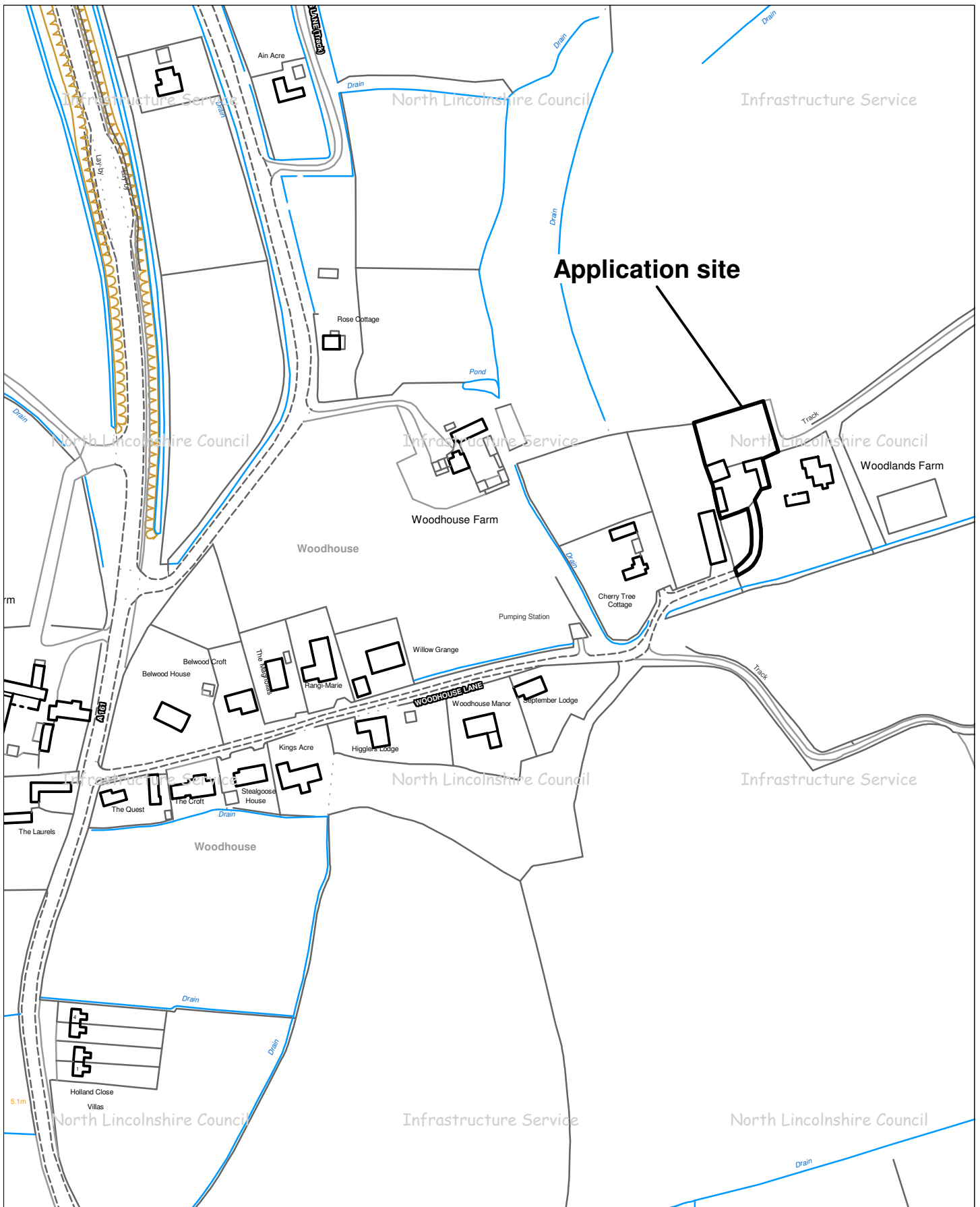
To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

10.

If during development, contamination not previously considered is identified then the local planning authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the local planning authority.

Reason

To address potential hazards from the former use of the site in terms of land contamination and to ensure appropriate measures are undertaken as part of the development in accordance with policy DS7 of the North Lincolnshire Local Plan.



Drawing Title: 2010/1413

OS Grid Ref: SE94051133

Drawn by: KC

Scale: 1:2500

Date: 24/01/2011



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