

<b>APPLICATION NO</b>	<b>PA/2011/0035</b>
<b>APPLICANT</b>	Mr & Mrs P Stancer
<b>DEVELOPMENT</b>	Planning permission to convert an existing building into a dwelling
<b>LOCATION</b>	3 Soff Lane, Goxhill
<b>PARISH</b>	<b>GOXHILL</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 Goxhill Parish Council Third party request to address the committee

## **POLICIES**

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

**North Lincolnshire Local Plan:** Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled and planning permission will only be granted where eight criteria are met subject to certain conditions. One of those criteria states that development will be granted for the re-use and adaptation of existing rural buildings.

Policy RD9 (Re-use and Adaptation of Rural Buildings for Residential Use in the Open Countryside) sets out five criteria when residential conversion of buildings in the open countryside will be permitted, the principal requirement being that the building is of architectural or historical importance to the rural scene and is of substantial and permanent construction capable of conversion without major change. The other criteria relate to the conversion being the only way to retain the building, that its conversion will not lead to the need for a new building to cater for displaced activities, that the design of the conversion retains and respects the original character of the building and that the development will not lead to a loss of habitat for protected species.

Policy DS1 (General Requirements) deals with quality of design, amenity, conservation (where appropriate), the availability or use of resources, and the provision of utilities and services to developments. The proposal does not conflict with any of these requirements.

## **CONSULTATIONS**

**Highways:** No objection to the proposal.

## **PARISH COUNCIL**

Object to the development on the following grounds:

- ‘1. Development in the Open Countryside. The proposal is outside of the village development boundary and therefore contrary to PP RD2.
2. The proposal lies on a site that was designated for light industrial use and the Parish Council feel that introducing new residential properties will eventually lead to a conflict of land use. Barricks Haulage were encouraged to relocate their business away from the main residential part of the village onto Soff Lane for that very reason.
3. The existing building has no historical record of residential use. There are many such old WW2 buildings situated around the old airfield and the Parish Council do not wish them to be viewed as a cheap supply of residential conversions.
4. Access Statement – this site lies well outside of the main settlement area. It is not served by public transport, the nearest links being on Howe Lane with no pedestrian footpath provision en route.
5. Without prejudice to the above objections, if the planning department were minded to grant this application, the Parish Council feel that residential occupancy should be conditional upon it being essential to the mowing repair business, and revoked if this ceases to trade.’

## **PUBLICITY**

Neighbouring properties have been notified, and site and press notices posted. One letter has been received objecting to the proposal on the following grounds:

- The proposed residential use will impact on other industrial users which are adjacent to the application site by potentially giving rise to complaints about activities that are lawfully being carried out on a day to day basis in an industrial area.
- The impact that a residential use in this location may have on the potential growth of the area for additional and expanded industrial purposes. The objector questions whether a need really exists for this dwelling.
- Again, the objector asks what would happen to the dwelling if the current occupier of the adjacent business (the applicant) vacated the adjacent business premises or retired.
- The site is in the open countryside where development is restricted to agricultural uses or other special needs.
- The proposed building to be converted has previously been used for commercial uses which have now ceased and vacated the premises.
- The building may provide a habitat for mammals and birds.

## **ASSESSMENT**

The council's Engineering team have been consulted in respect of this application and, following initial concerns about surface water run-off, have agreed that whilst surface water run-off can be adequately catered for from a design perspective, insufficient detail has been submitted with the application and therefore a condition is needed to agree the details of surface water disposal before development commences on site.

The Environmental Protection team have no objection but, because of the site's historical and previous uses, request conditions requiring survey and investigative work to be carried out in relation to the potential for contamination within the site.

**The determining issue in this case is whether or not this building is considered to be of architectural or historical importance and therefore worthy of conversion.**

The site is in the open countryside and close by to the south, and forming part of the client's landholding, is an industrial allocation for business uses known as Soff Lane, South End, Goxhill which the North Lincolnshire Local Plan allocates 2.5 hectares for business and commercial uses.

The site is not within this allocation. The building the subject of this application forms part of the former RAF Goxhill site. The buildings in question were used as a standby generator house and a fuel storage building for that generator.

Both of these buildings are of substantial brick construction and would originally have been treated with a smooth render finish which would have been painted. The buildings are capable of conversion to a dwelling and garage as proposed without significant extension and have the support of the council's conservation officer as it has been concluded that they are of historical value, represent good examples of this kind of military building and are in a condition that lends them to a residential conversion.

The buildings have previously been used for commercial purposes, but those uses have now vacated and there is little likelihood of the buildings being suitable for modern commercial uses in the future.

As has been mentioned earlier, close to the site, to the south, is a site of 2.5 hectares which the North Lincolnshire Local Plan allocates as a site suitable for accommodating commercial and industrial uses.

There are a number of uses on this site of such an industrial nature, some that have been there for many years and some with the benefit of up-to-date planning permissions with suitable controls about the way those businesses operate. Similarly, over the years, a number of dwellings have sprung up on this development around the allocation which operate generally and for the most part as live/work business units.

The impact that this development would have generally on the open countryside will be minimal due to the comings and goings that are generated not only by adjacent industrial uses but by the dwellings that are situated close by. Indeed it must be brought to members' attention that earlier this year planning permission was granted on the site immediately to the south of the proposed conversion, which is in the ownership of this applicant, for the storage of touring caravans.

The applicant also runs a lawnmower servicing business in an adjacent converted military building (the former gymnasium) and it is concluded that the combination of the needs of these two businesses from a management and operational viewpoint, and the fact that this building is historically important to Goxhill, warrants that permission should be granted for the conversion of this building to a residential use subject to certain conditions relating primarily to the occupation of this building in the future being linked to the aforementioned businesses.

With regard to the objections raised, there is a considerable separation between the proposed conversion and adjacent business uses. Should further businesses wish to develop in the area account will have to be taken not only of the impact of those businesses on other business in the area but also nearby residential uses, again not only those close to the industrial site, but also those in proximity but marginally further away. The objector's concern in relation to if the proposed occupier of the building leaves the site or retires can be addressed by imposing an appropriate occupancy condition. In terms of the building providing a habitat for mammals and birds, the building has been inspected by the council's Environment Team and no evidence has been found of such activity.

**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: 93201, 93231, 93202, 93203, 93204 and 93205.

Reason

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

3.

The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the business occupying the land hatched black on the attached plan, or a widow or widower of that person, and any resident dependants.

Reason

To ensure the dwelling remains available to meet the needs of the business, as permission is granted only in the light of the special justification for the accommodation, in accordance with policy H1 of the North Lincolnshire Local Plan.

4.

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 the dwelling shall not 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.

5.

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.

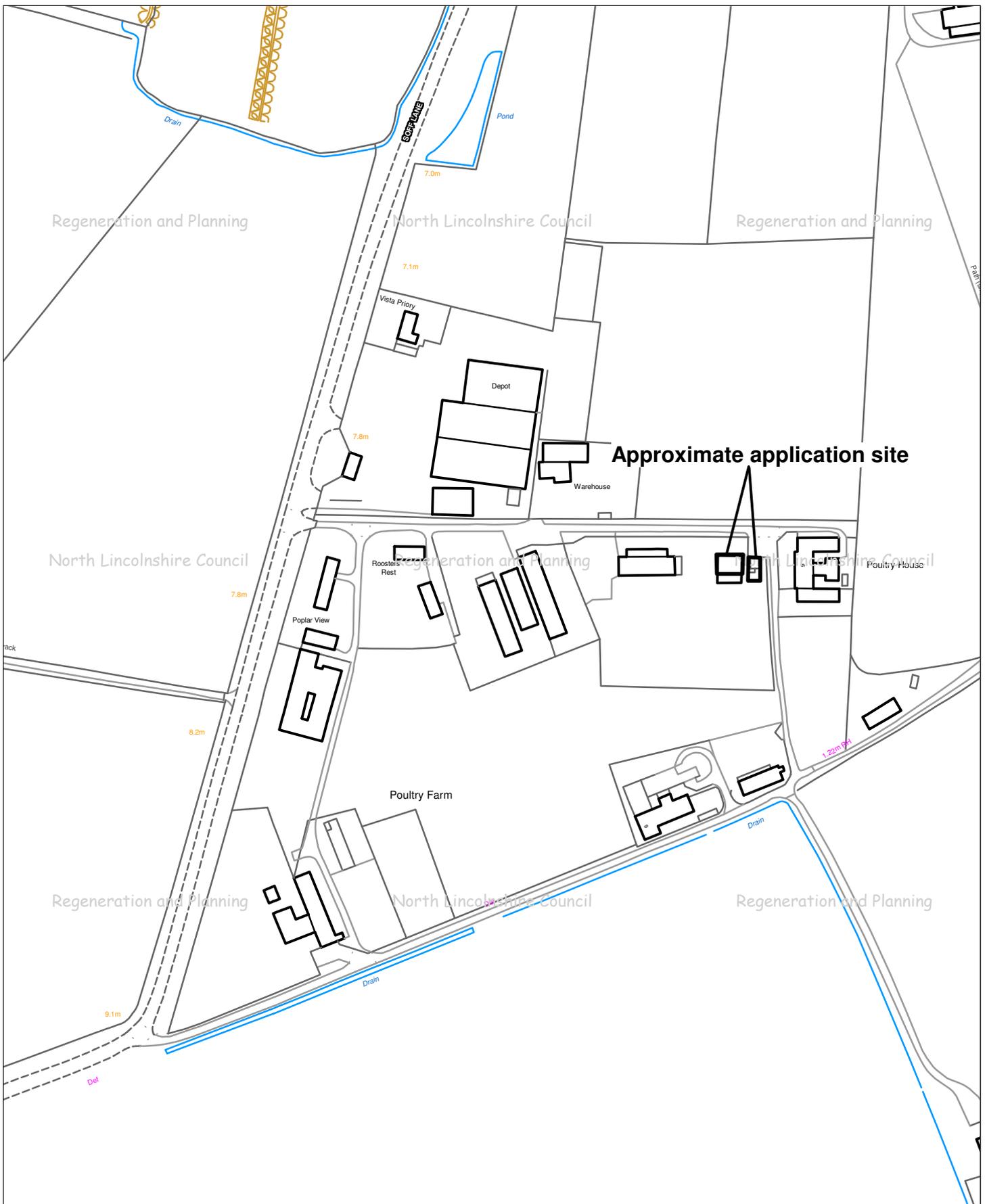
#### **Part 4: Reporting of Unexpected Contamination**

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.



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**Regeneration and Planning**

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