APPLICATION NO  PA/2012/0831
APPLICANT  Mr & Mrs J Wilks
DEVELOPMENT  Planning permission for alterations and change of use of barns into a dwelling
LOCATION  Manor Farm, Townside, East Halton
PARISH  EAST HALTON
WARD  Ferry
CASE OFFICER  Mark Simmonds
SUMMARY  Grant permission subject to conditions
RECOMMENDATION
REASONS FOR REFERENCE TO COMMITTEE  Objection by East Halton Parish Council

POLICIES

National Planning Policy Framework: Paragraph 19 – the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 17 – planning should recognise the intrinsic character and beauty of the countryside and support thriving rural communities within it.

Paragraph 28 – planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

Paragraph 100 – inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraphs 126 to 129 relate to the historic environment and the information required with an application.

Paragraphs 131 to 134 relate to the impact of development upon heritage assets.

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

North Lincolnshire Local Plan: Policy DS1 (General Requirements) provides general guidance in relation to all new development.

Policy RD2 (Development in the Open Countryside)
Policy RD9 is the most pertinent policy relating to the re-use and/or adaptation of rural buildings for residential use.

Policy HE8 (Ancient Monuments)

**North Lincolnshire Core Strategy:** Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS6 (Historic Environment)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS17 (Biodiversity)

**CONSULTATIONS**

**English Heritage:** Originally recommended refusal but, following the submission of amended plans, now has no objection subject to the amended plans and conditions.

**Highways:** Advise conditions (10 and 11).

**Environment Agency:** Does not wish to make any comments on the application.

**Public Rights of Way Officer:** No objection.

**Environmental Protection Team:** Advise conditions.

**Historic Environment Record:** Originally lodged a holding objection but now has no objection subject to conditions securing a programme of systematic historic building and archaeology recording prior to and during construction work.

**Environment Team:** Advise a condition and an informative regarding trees.

**PARISH COUNCIL**

Object to this application – outside the local development plan. Also suggest that the fact the area floods should be taken into account.

**PUBLICITY**

The application has been advertised by site and press notice, and neighbouring properties have been notified.

One letter has been received making general observations and raising the following issue:

- No objection provided appropriate archaeological surveying is undertaken and any findings and all results from surveys are submitted to the appropriate department within North Lincolnshire Council, and all activities on the site and the adjoining area of archaeological interest are appropriately respected.
ASSESSMENT

This application seeks planning permission for the change of use of barns to a dwelling at Manor Farm, Townside, East Halton.

The key issues in the determination of this application are the principle of the development in this area, whether the impact from the conversion upon the adjacent scheduled ancient monument would be acceptable, and whether any other issues would warrant withholding planning permission.

The site is a range of barns set behind the main farmhouse at Manor Farm, Townside, East Halton. The barns are currently being used for the stabling of horses and for storage. The applicant indicates that for a previous period of around 25 years the barns were used for the storage of hay.

The barns are attractive historic buildings in reasonably sound condition. The applicant has submitted all the necessary documents, including a protected species survey and structural report, and confirms that the barns have been advertised for commercial use without success. The proposals therefore comply with local plan policy and, despite the objection from the parish council, it would be appropriate as a matter of policy to grant permission.

The main issue associated with this application is that this site occupies part of the Manor Farm moated site at East Halton which is a scheduled ancient monument - one of the most important moated sites in the region with potentially nationally important archaeology.

English Heritage and the Historic Environment Record officer originally had some concerns about elements of the scheme which they felt were unsympathetic, however the applicant has amended the scheme and those concerns have been overcome. This has been largely achieved by retaining historic openings, with acceptable window and door treatments.

With regard to visual impact, the building makes a positive contribution to the rural landscape and it would be beneficial to ensure its retention.

Drainage and sewerage can be dealt with by condition. There is no evidence that these proposals would have an adverse impact upon the infrastructure of East Halton.

The Environment Agency and the Drainage Board have been consulted and raise no objection.

With regard to land contamination, the historical uses appear to be very low risk and a catch-all condition would cover any discovery of suspicious materials.

The Environment Team advise that the trees which are marked for removal should be surveyed and replaced where necessary and that this should be controlled carefully due to possible impacts upon heritage assets and wildlife.

On balance, the proposals are considered acceptable and it is recommended that planning permission be granted subject to 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: 1125-150C, 1125-105 A, 1125-150B and 1125-115B.

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

3. 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 protect the integrity of the adjacent scheduled ancient monument.

4. Before any development commences on site a full schedule of all external materials, including bricks, tiles, windows, doors and all rainwater goods, shall be submitted to and approved in writing by the local planning authority.

Reason
To ensure a high quality of development to protect the setting of the adjacent scheduled ancient monument and to comply with policies DS1 and HE8 of the North Lincolnshire Local Plan.

5. 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 subcontractors 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.

6.
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.

7.
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.

8.
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.

9.
Notwithstanding the provisions 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), none of the development normally allowed by Classes A, B, C, D, E, F, G or H of Part 1 shall be carried out other than those expressly authorised by this permission.
Reason
To protect the integrity of the adjacent scheduled ancient monument.

10. 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.

11. 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.

12. If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

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.

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

(a) details of measures to avoid harm to bats and nesting birds during demolition and construction works, including details of sensitive wood treatment;

(b) details of roosting features to be installed to support barn owl (Tyto alba), pipistrelle bats (Pipistrellus spp.) and brown long-eared bats (Plecotus auritus);

(c) details of nesting sites to be installed to support barn swallow (Hirundo rustica);

(d) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;

(e) prescriptions for native trees to be planted in existing hedgerows;
(f) proposed timings for the above works in relation to the completion of each building;

(g) monitoring procedures and remedial measures triggered by monitoring;

(h) details of all trees to be removed and their replacements, including details of species, size, crown spread, exact location and future maintenance.

Reason
To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

14.
The biodiversity 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. The applicant or their successor in title shall submit photographs of the installed bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason
To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

Reasons for approval
The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the adjacent scheduled ancient monument nor the character of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are policies CS1, CS2, CS3, CS5, and CS17 of the North Lincolnshire Core Strategy and policies DS1, RD2, HE8 and RD9 of the North Lincolnshire Local Plan.

Informative
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.
PA/2012/0831
BLOCK PLAN (Not to Scale)

PROPOSED SITE PLAN (INDICATIVE DRAINAGE PLAN)

Redline revised to show extent of residential curtilage