APPLICATION NO PA/2022/1621

APPLICANT Mr Ian Ward

DEVELOPMENT Planning permission to convert existing barns into a dwelling to

include the removal of the corrugated iron roof of the largest barn to create an open courtyard space and construct a brick

garage within the footprint of the large barn

LOCATION Barns north of Mill Farm, access road to Mill Farm, Appleby,

DN15 0BZ

PARISH Appleby

WARD Broughton and Appleby

CASE OFFICER Scott Jackson

SUMMARY Grant permission subject to conditions

RECOMMENDATION

Departure from the development plan

REASONS FOR REFERENCE TO COMMITTEE

POLICIES

National Planning Policy Framework: Sections 5, 12 and 15

North Lincolnshire Local Plan: RD2, RD9, H5, H8, T1, T2, T19, LC5, LC6

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5, CS8, CS17

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early in 2023. Policies SS1, SS2, SS3, SS6, SS11, DQE1, DQE3 and DQE7 apply.

Appleby Neighbourhood Plan: AP1, AP2, AP5, AP6

CONSULTATIONS

Highways: No objection, recommend a condition.

Environment Agency: No comments to make.

LLFA Drainage: No objection, recommend an informative in relation to increasing the pipe network size and storage.

Environmental Protection: No objection, recommend a condition in relation to contaminated land investigation.

Archaeology: No objection.

PARISH COUNCIL

The proposal meets most of the policies within the Neighbourhood Plan; in relation to policy AP6 it is replacing an existing barn which doesn't reflect the existing barns on the site.

PUBLICITY

A site notice has been displayed; one letter of support has been received making the following comments:

- There will be a lower level of commercial traffic and reduced noise, and plant and machinery.
- It creates an overall improvement to the wider Mill Farm site.

ASSESSMENT

Planning history

PA/2004/0216: Planning permission for change of use of agricultural stores to business use and the continued use of a static caravan as offices – refused 12/05/2004.

The application site comprises a modern agricultural barn with a lean-to extension along its northern side. It is constructed from a mix of brick and corrugated sheeting (potentially containing asbestos) and is located to the north of an existing cluster of brick-built barns, some of which have been converted into residential properties in recent years. The building is surrounded by an area of grass and tree planting to the north and north-west and the land is laid to hardstanding to the south and east of the building. It is proposed to convert the agricultural building to a dwelling, including the removal of the ridge line and a section of wall from the main barn, and the formation of an internal courtyard to the south.

The main issues in determining this application are the principle of development (incorporating design/impact on the countryside) and impact upon residential amenity.

Principle

The site and buildings contained therein are outside of any defined settlement boundary and for the purposes of assessment are within the open countryside, approximately 435 metres to the west of Ermine Street (B1207) and 580 metres to the north-west of the level crossing. In terms of the principle of development (conversion of rural building to residential use), policy RD2 of the North Lincolnshire Local Plan applies as it allows for development which is for the re-use and adaptation of existing rural buildings (subject to a number of criteria). Allied to this is the main planning policy thrust for residential conversion which is embedded within policy RD9 and states:

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; and
- (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.

Taking each of the points above in turn it is considered the existing building is not of architectural or historic importance to the rural scene and the plans clearly show substantial alterations to both its structural and visual elements to achieve conversion to residential use. However, it is worth noting in relation to the criteria set out in policy RD9 that the proposed development will not create the need for new buildings to be displaced through its residential conversion, the applicant has highlighted to demolish this building would be a costly exercise to undertake, the majority of the existing rural buildings on the site have been converted to residential (thereby ensuring the conversion to residential is a compatible use) and the building is no longer in use for commercial purposes so its conversion to an alternative use can be considered. It is proposed to convert the building to residential use, resulting in a redundant building in the countryside being utilised as a form of diversification from an established commercial use. As such, it is considered to be broadly compliant with policy AP6 of the Appleby Parish Neighbourhood Plan.

In addition, the proposal is for the re-use of a building in the countryside and the construction of a well-designed new building (albeit an existing one in an altered, modern form); this is explained in greater detail below but the proposal is considered to be compliant with policy AP5 of the Appleby Parish Neighbourhood Plan in this regard.

Whilst the development proposals fail to comply with paragraph (i) of policy RD9 above, it is worth highlighting that the NPPF, at paragraph 80, states:

'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.'

In terms of paragraph 80(e) in the NPPF the plans show the proposed conversion to be innovative with the introduction of modern building techniques. Essentially it involves the removal of part of the roof and wall of the main barn to form a courtyard garden and the retention and alteration of the lean-to section to make it the primary building, giving it the appearance of a cantilevered structure, with glass sections at ground floor (giving views into the building of its exposed columns), the roof of the lean-to re-clad in zinc and punctuated by a number of window openings, and a balcony along its northern side. The plans also

show the south-eastern corner of the existing larger barn will be retained, will have a flat roof and will serve as a double garage with its access door shown in the eastern elevation facing the access road and hardstanding. The inclusion of this flat-roofed section provides some visual connection to the flat section of wall which will be formed from the part demolition of the main barn which is shown to be retained as a boundary wall for the courtyard garden; the garage will be attached to this wall.

It is considered the resultant built development is a modern, innovative design which ensures the built form of the existing barn is retained in part and incorporates modern building elements such as the installation of glass to the external walls of the lean-to extension to provide a direct visual cue to the structure of the building and to add visual interest. The inclusion of the glass elements to the three external elevations of the lean-to barn gives the appearance of the zinc roof section suspended above the original steel support beams within the building.

The inclusion of zinc to the roof adds a modern, yet utilitarian appearance to the barn in its altered state. In addition, it is proposed to install timber cladding on the internal elements of the ground floor rooms; this cladding will be visible between the exposed steel supports of the existing building. The addition of the timber cladding will provide visual contrast to the mix of materials (brick, zinc, glass and exposed steel) and reflects the mix of materials which already exist on the barns.

The proposal is considered to represent a modern re-interpretation of an agricultural barn which has been repurposed for residential conversion, whilst ensuring the built form and mass of the building and its relationship with the existing brick-built barns at the site is maintained. The external changes to the building are not considered to result in a visually dominant development which is at odds with the character and appearance of existing rural buildings within the site, particularly as the ridge line of the main barn is being reduced and parts of the southern wall removed. This will allow the brick barns to remain visually predominant within the site (when approaching from the south) and give greater separation between buildings while the modern changes proposed to the barn to facilitate its conversion to residential use are considered to enhance the appearance of the building and the rural setting of the landscape in which the buildings are located. In addition, the conversion of the building in a modern, innovative way is considered to lead to the enhancement of the immediate setting of the existing cluster of converted buildings at the site and demonstrates the key design principles set out in policy AP2 of the Appleby Parish Neighbourhood Plan, which include reinforcing open space, incorporating high standards of energy efficiency, having no impact on the conservation area, respecting the built form and design of the local vernacular, and having sufficient off-street parking.

The development proposals ensure there is no increase by way of an external addition to the barns on the site (with the exception of the mezzanine proposed internally) and the line of the existing roof to the lean-to element is retained along its north to south axis. The mezzanine has been included to ensure sufficient sleeping accommodation is provided within the smaller of the barns and the plans show this mezzanine will not cut across the principal elevation to the north where the modern mix of materials (including glass, metal and timber cladding) will be visually prominent in the converted building. The plans show the provision of a number of glass openings along the roof line and the inclusion of a balcony which cuts across the roof plane but doesn't project out from it and the inclusion of feature windows on the first floor of both the eastern and western elevations. These windows serve to break up the massing of the roof and the plans also show the internal elevation (where a small metal lean-to extension is proposed) facing the courtyard to the

south will be punctuated by a combination of patio doors and windows, which breaks up the elevation and provides direct access into the internal courtyard garden.

The design and access statement highlights the dwelling will incorporate carbon-reducing technology, including rainwater harvesting, air source heat pump and a solar array; this will ensure the development actively utilises natural resources as efficiently and sustainably as possible and ensures compliance with policy CS18 of the adopted Core Strategy, guidance within the NPPF and policy AP2 of the Appleby Parish Neighbourhood Plan.

In terms of views, it is worth noting the site and buildings therein are a significant distance from the public highway to the east and substantial screening within the site consists of a dense belt of trees to the north and north-west, and existing dwellings and rural buildings to the south; this ensures no long distance views of the building are available within the rural landscape. The conversion of these agricultural buildings to residential use (with modern additions and some demolition works) is not considered to result in an alien or discordant form of development in the rural landscape.

In conclusion, it is considered the development proposals are broadly consistent with the guidance set out in policy RD9 and the proposals represent an innovative, sustainable and modern re-use of agricultural buildings which reflect a high standard of architecture and would enhance the setting of the rural buildings in this location. In addition, the development represents a sustainable re-use of an existing agricultural building in an area which has an existing cluster of residential properties, and the development is considered to comply with policy AP1 of the Appleby Parish Neighbourhood Plan. To this end the proposals are considered to be acceptable in principle.

Residential amenity

The plans show there are no upper floor windows in the southern elevation facing towards the derelict brick barn: this will ensure there will be no overlooking in future between dwellings if the brick barn is converted (it previously had planning permission under PA/2018/1665). In addition, it is considered the proposed retention of part of the southern wall (at a height of 2.534 metres) to the larger barn will provide sufficient screening and privacy to the courtyard garden and the removal of part of the wall and the whole roof from the larger barn will increase the perception of openness between the respective buildings.

The applicant submitted a site location and block plan which showed the proposed domestic curtilage would extend well beyond the site and include the whole of the mature tree belt which surrounds the site. Given the applicant was seeking a significant garden size which was not considered to be proportionate to the size of the dwelling being assessed under this application, a request was made for the proposed domestic curtilage to be reduced in size. An amended block plan has subsequently been received which shows this to be the case. The extent of the domestic curtilage now shown associated with the dwelling is considered to represent sufficient space in which to provide an area of amenity space and off-street parking to the east of the barns. In addition, this amenity space is located to the north of the dwelling and is not overlooked, and the balcony would have an outlook onto the proposed garden and wooded area to the north. In conclusion, the proposed development is not considered to result in any loss of amenity to existing properties to the south of the site.

Other issues

Contaminated land

The applicant states in their submission that the buildings have been used in association with a building company and as such there is low potential for contamination to have occurred. Given the buildings were constructed for agricultural use, that they potentially contain asbestos material, that some demolition works are proposed to the larger barn to facilitate its conversion to residential use and that the proposal will introduce sensitive receptors as an end user (i.e. as a residential property) it is considered the recommendation by Environmental Protection for a contaminated land investigation condition is both reasonable and necessary in this case.

Flood risk/drainage

As the site lies within flood zone 1, there is no requirement for a flood risk assessment (FRA) to be submitted for consideration. The plans show there will be a reduction in the rate of surface water run-off from the site as a result of the roof and part of the wall being removed and the resultant courtyard garden will provide additional drainage capacity. There is sufficient space within the site to dispose of surface water drainage via soakaway and the existing pond on the site to the south-west. It is proposed to dispose of foul drainage via a package treatment plan, owing to the lack of mains drainage supply in the locality, which is considered to be a suitable means of drainage disposal. The LLFA Drainage officer has reviewed the proposal and has no objection to the application subject to informative comments.

The proposal is considered to comply with policies DS16 of the North Lincolnshire Local Plan, CS19 of the Core Strategy and the National Planning Policy Framework in terms of flood risk.

Highways

The plans show the provision of a double garage, together with a large area of hardstanding to the east and north of the building (this is existing hardstanding); this area is considered sufficient to provide multiple off-street parking spaces to serve the dwelling together with an area for bin storage. Highways have considered the proposals and raise no objection on highway or pedestrian safety grounds: the proposed vehicular access to the site is wide enough and of sufficient construction to accommodate additional flows of traffic associated with the development.

The proposal would therefore align with policies T2 and T19 of the North Lincolnshire Local Plan.

Ecology

There is potential for biodiversity gain as a result of the proposed development, particularly as the applicant has put forward potential enhancements within the site, which are outlined on the amended block plan; these include the creation of a wildflower meadow, an orchard, and the provision of bat/bird boxes and hedgehog homes. Given the potential to achieve biodiversity gain on this site and for the development to align with policies CS5 and CS17 of the adopted Core Strategy, and guidance within the NPPF, it is considered necessary and reasonable to recommend a condition requiring the submission of a biodiversity management plan to seek to provide biodiversity net gain.

Conclusion

It is considered the development proposals are broadly consistent with guidance set out in policy RD9 and the proposals represent an innovative, sustainable and modern re-use of agricultural buildings which reflect a high standard of architecture and would enhance the setting of the rural buildings in this location. To this end the proposals are considered to be acceptable in principle. In addition, the development would ensure the re-use of existing rural buildings, would contribute to the local housing land supply and would deliver a dwelling in a building which is not highly visible in the rural landscape. The application is therefore recommended for approval.

Pre-commencement conditions

A pre-commencement condition in relation to contaminated land investigation has been agreed with the planning agent.

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: 21 35 8000 A, 2135 35 7110, 21 35 6500, 21 35 600 and 21 35 7610 B.

Reason

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

3.

The extent of domestic curtilage to serve the dwelling hereby permitted shall be the area shown by a red dashed line and annotated as 'domestic curtilage' on drawing 21 35 8000. No outbuildings, buildings or domestic structures shall be erected on the land external to the area marked as domestic curtilage at any time and the land shall not be used as additional garden space at any time.

Reason

To define the terms of the permission and to ensure the extent of private amenity space is proportionate to the size of the dwelling approved under this planning permission.

4.

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.

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

A Phase 1 desk study shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the local planning authority for approval prior to proceeding to further site investigation.

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 Environment Agency's Land Contamination Risk Management (LCRM) guidance October 2020.

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, 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.

6. No above-ground works shall take place until details of the positions, design, materials and type of boundary treatment to be built/planted have been agreed in writing by the local planning authority. The agreed boundary treatment shall be built/planted before the dwelling is occupied and once built/planted it shall be retained.

Reason

To provide an appropriate level of screening in accordance with policies H8 and DS1 of the North Lincolnshire Local Plan.

7. Within three months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing. The plan shall include:

- (a) details of bat roosting features to be installed;
- (b) details of nesting sites to be installed to support swifts and house sparrows;
- (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats:
- (d) provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;
- (e) prescriptions for the planting and aftercare of native hedgerows, trees and shrubs of high biodiversity value;
- (g) proposed timings for the above works in relation to the completion of the buildings.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

8. 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. Prior to the completion of the approved development, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the biodiversity management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.

9. Notwithstanding the provisions of Classes A, B, C, D, E and G of Part 1 of Schedule 2, of the Town and Country Planning (General Permitted Development (England) Order 2015, or any order revoking or re-enacting that order with or without modification, no extensions, alterations or outbuildings shall be erected on the site or made to the building unless authorised by this permission.

Reason

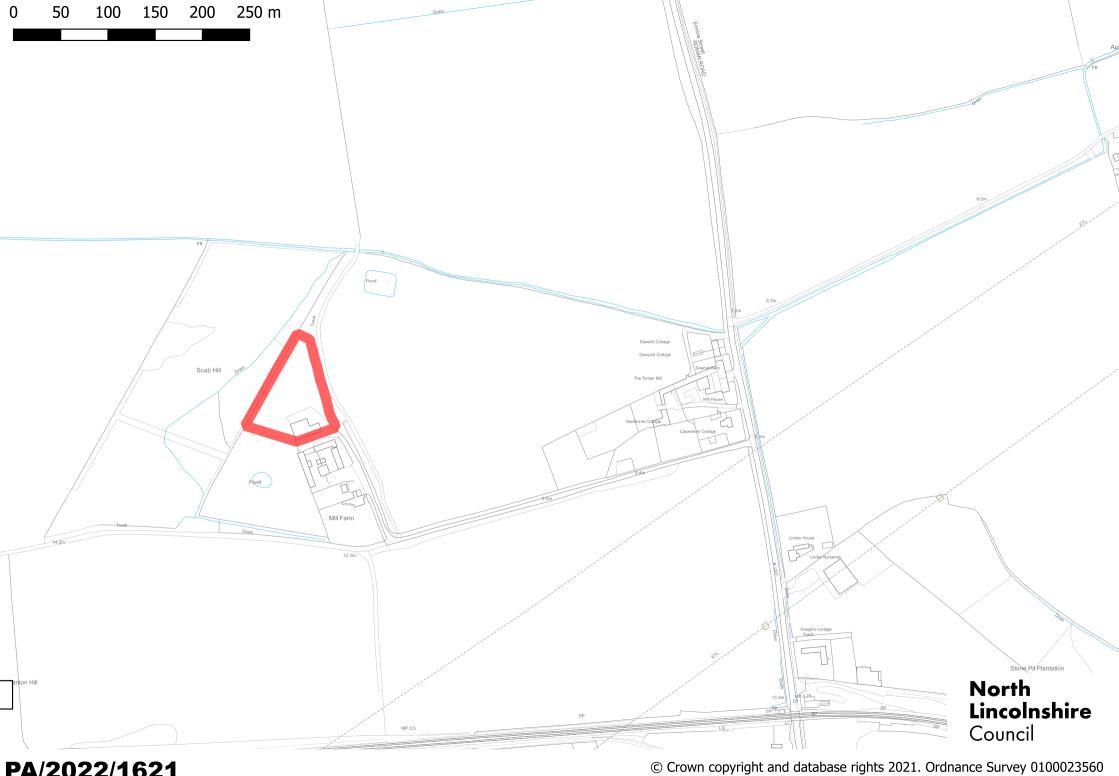
To regulate and control the development in accordance with policies RD9 and RD2 of the North Lincolnshire Local Plan.

Informative 1

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 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.

Informative 2

It is advised you consider upsizing the pipe network and increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers.



PA/2022/1621 Proposed layout (not to scale)



General Notes

NOTES: -

This drawing must NOT be scaled.

Work shall not commence until planning and building

contractor and any discrepancies to be reported to the architect and client prior to commencement of work on site.

All drains & services to be located by contractor.

This drawing is for building control purposes only. Detall design and specification shall be the sole responsibility of the contractor.

The Contractor is to allow for those items of work which are not specifically identified in the Contract Documents but which it is reasonable to expect an experienced contractor to identify from them as being necessary (such as but without prejudice to the foregoing - screws, noggins, supports, flashings etc).

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Amendments

	Domestic curtilage added	13.12.22	
,	Amendment	Date	

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(T) 07795 145796

Barn Conversion Mill Farm Appleby

lan Ward

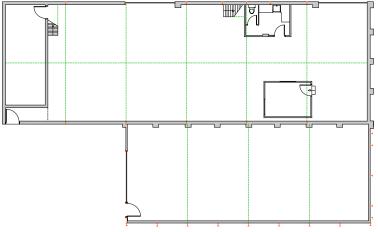
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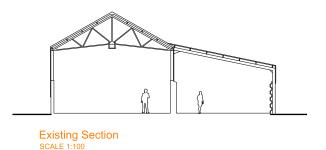
Proposed Site Plan

Compass:	PLANNING
Drawn by: TV	Checked by: DE
Drawing No: 21 35 8000	Scale: 1:500 @ A1
	Date: AUGUST 2022

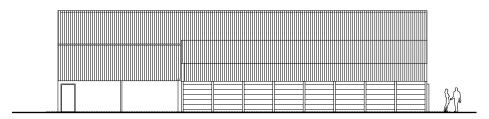
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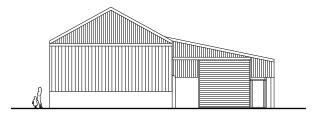
PA/2022/1621 Existing plans & elevations (not to scale)-





Existing Ground Floor Plan SCALE 1:100



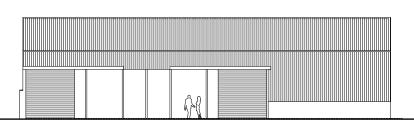


Existing Side Elevation SCALE 1:100

Existing Front Elevation SCALE 1:100



Existing Rear Elevation SCALE 1:100



Existing Side Elevation

0m Sm 10m

General Notes

NOTES: -

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Amendments



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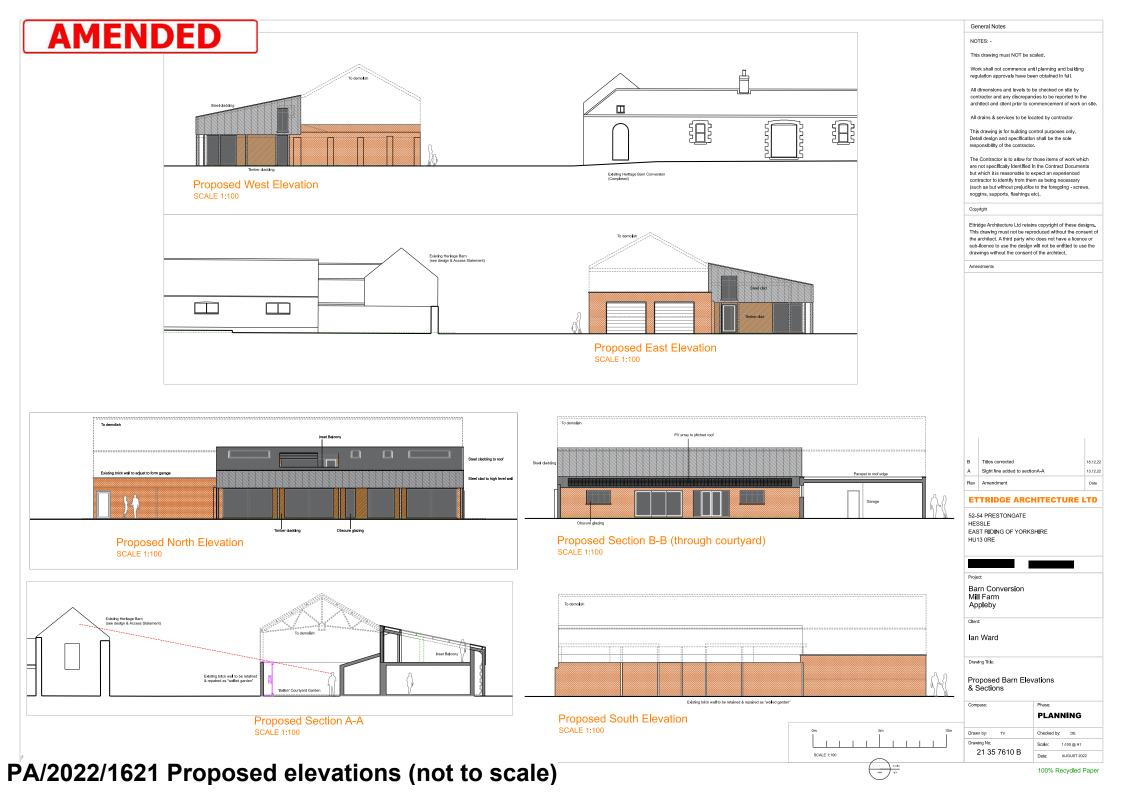
Barn Conversion Mill Farm Appleby

Client:

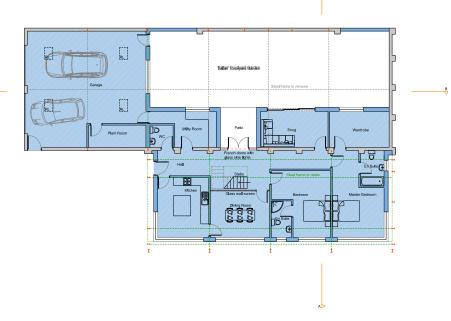
lan Ward

Drawing Title:

Existing Plan & Elevations



PA/2022/1621 Proposed floor plans (not to scale)



Taller' County or Garden
(Selan)

Company Roof (File with
paragines to edges)

New plated roof with PV array

AP

Study

Gas acres

Dec Garden

Genome

Study

Taller' County or Garden

(Selan)

New plated roof with PV array

AP

Study

Stud

Proposed Ground Floor Plan SCALE 1:100

Proposed First Floor Plan SCALE 1:100

General Notes

NOTES: -

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Amendments

Rev Amendment Date

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Project:

Barn Conversion Mill Farm Appleby

Client:

lan Ward

Drawing Title:

Proposed Barn Plans

| Phase: | P