

APPLICATION NO PA/2020/1626

APPLICANT Mr & Mrs Besford

DEVELOPMENT Planning permission to convert a barn into a dwelling, with a single-storey rear extension, detached garage and new vehicle access

LOCATION 38 High Street, Haxey, DN9 2HH

PARISH Haxey

WARD Axholme South

CASE OFFICER Kevin Robinson

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Haxey Parish Council

POLICIES

National Planning Policy Framework: Paragraph 7 states, 'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

Paragraph 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- '(c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.'

Paragraph 12 states, 'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Paragraph 54 states, 'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.'

Paragraph 59 states, 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'

Paragraph 70 states, 'Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.'

Paragraph 73 states, 'Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where

the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- (a) 5% to ensure choice and competition in the market for land; or
- (b) 10% where the local planning authority wishes to demonstrate a five-year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
- (c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.'

Paragraph 74 states, 'A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:

- (a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and
- (b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.'

Paragraph 75 states, 'To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.'

Paragraph 163 states, 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy H5 (New Housing Development)

Policy LC7 (Landscape Protection)

Policy LC12 (Protection of Trees, Woodland and Hedgerows)

Policy LC14 (Area of Special Historic Landscape Interest)

Policy T2 (Access to Development)

Policy T19 (Car Parking Provision and Standards)

Policy DS1 (General Requirements)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Design)

Policy CS7 (Overall Housing Provision)

Policy CS17 (Biodiversity)

CONSULTATIONS

Highways: No objections. Conditions relating to access and parking are requested.

Drainage (Lead Local Flood Authority): No objections. Request a condition requiring the drainage details to be submitted for approval.

Historic Environment Record: No objection. Request a condition removing permitted development rights for the resulting dwelling.

Conservation: Response received which confirms that the barn has no designated heritage protection. The assessment notes that the barn's frontage remains mostly intact, and the extension is single-storey and to the rear to minimise visual intrusion. No objections are raised.

PARISH COUNCIL

Raise objections on the loss of the railing frontage to number 38.

PUBLICITY

The application has been advertised by means of a site notice displayed adjacent to the site. No comments have been received.

ASSESSMENT

Planning history

PA/2003/0432: Planning permission to convert a barn to a dwelling – approved 14/05/2003 and confirmed as having been implemented. It should be noted that this approval also allowed provision for the access to 38 High Street.

The proposal site seeks permission to convert the barn to a dwelling with the provision of a detached garage. The garage is located within the defined development limits and to the rear of the neighbouring property at 38A. The proposal also includes provision for a new access onto High Street for number 38 and indicates the location for the parking facilities serving that property.

As identified above, **the key considerations for this type of development in this location and at this time, given the current five-year housing land supply are:**

- **the principle of the development proposed;**

- **the impact upon the character and form of the locality;**
- **highway safety;**
- **residential amenity; and**
- **flooding and drainage.**

The principle of the development

The built form of the proposal, whilst having some of its garden area extending beyond, is located within the defined development limits of Haxey. Policy H5 seeks to direct development toward the built form of settlements. Furthermore, with an extant approval under reference PA/2003/0432, it is considered that the barn conversion to residential is acceptable and supported in principle. The proposed detached garage would serve the new barn conversion. Located within the defined development limit, it is also considered to be an appropriate form of development and therefore acceptable in principle.

The proposed access serving number 38 is also approved under the extant permission and therefore can be carried out under that approval.

Impact upon the character and form of the locality

Policy DS1 of the local plan states that a 'high standard of design is expected' and sets out two criteria against which proposals will be considered:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area, and
- (ii) the design and layout should respect, and where possible retain and/or enhance, the existing landform of the site.

Policy CS5 of the North Lincolnshire Core Strategy is also relevant and states '...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place' and 'Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.'

Policy H5 of the local plan, which is concerned with new housing development, and paragraph 127 of the NPPF are also relevant.

Policy LC14 of the local plan relates to the area beyond the development limits and states that proposals are required to meet the social and economic needs of the rural community and high standards of design reflecting the traditional character of buildings, using materials sympathetic to the locality. In this regard, whilst covering part of the site, none of the proposed development falls within the designation.

The site is contained by properties to the east and west. The barn abuts the highway and is prominent in views along High Street. Advice from the conservation officer confirms that, whilst there is no statutory protection for the barn as a heritage asset, there is a degree of historic interest to the building and its retention is considered desirable. The officer also notes that the proposed conversion retains the majority of the features of the barn. The rear extension would not be readily visible in views from High Street due to the tight grain of the

built form to either side. Subject to controlling the use of suitable materials in the extension, it is not considered that there would be any appreciable impact upon the character of the area and that the interest of the barn would be retained. In this regard the proposal is considered to be acceptable against the requirements of policies DS1, CS5, and H5.

The proposed rear garage is of a size and scale commensurate with a rear outbuilding. It is considered that, located to the rear of the property and to number 38A, the garage would not be prominent in public views from High Street or long distance views from the open countryside to the south. As such, it is not considered that there would be a significant effect against policies DS1, CS5 and H5 in this regard.

The proposal to provide a new access to number 38, as noted above, already benefits from the extant approval. As such, whilst the comments from the parish council are noted, it is considered that there is a fall-back position which allows for the access. The removal of the railing to the frontage of the property is considered to be a loss to the character of that property and to the area. There is, however, no protection afforded to the walling/railings. The applicant has advised that the railings are in a poor state of repair and that they will be removed shortly. Given that the walling and railings can be removed without requiring any permission and that there is an extant approval to create the new access to number 38, it is considered that the proposal accords with the requirements of policies DS1, CS5 and H5.

The comments from the HER Officer are noted. However, as the site is within the defined limits for Haxey and is currently garden curtilage to the existing property at 38 High Street, it is not considered that the removal of permitted development rights is reasonable and therefore is not recommended to be attached to any permission granted.

Highway safety

Policy T2 requires all development to be provided with a satisfactory access. In larger developments it should be served adequately by:

- (i) being readily accessible by a choice of transport modes; and
- (ii) existing public transport services and infrastructure; or
- (iii) additions or extensions to such services linked directly to the development; and
- (iv) the existing highway network.

Paragraph 109 of the NPPF advises, 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

The highways officer has been consulted on the application and, subject to conditions to control the construction of the access, it is not considered that there would be any unacceptable impact upon highway safety. The proposal is therefore considered to be acceptable in this regard with policy T2 and guidance in the NPPF.

Residential amenity

Policies H7 and DS1 of the local plan require that proposals do not adversely impact upon the amenity of their locality.

In this regard, the proposal is for residential use within a predominantly residential area and therefore would not, in principle, pose any concern. The proposed conversion would have its main window openings facing toward High Street and down the plot at first floor, and would have kitchen and secondary family room windows to the side elevation facing toward number 38A. Toward number 38 there would be a single utility room window. As such it is not considered that there would be significant effects of overlooking from the proposal upon neighbouring properties. The proposed extension is single-storey and would not result in an increase in massing or relationship considered to be oppressive or significantly increase the potential for overshadowing to occur. As such, there is no significant effect from the proposed barn conversion on neighbouring properties.

The proposed garage would be sited to the rear of number 38A beyond the rear boundary, within the existing plot to number 38. Given the location and the single-storey nature of the proposal, it is not considered that there would be significant impacts of overlooking, overshadowing or oppression to warrant resistance on these grounds.

The proposed access to number 38, as noted benefits from the extant approval. Notwithstanding this, it is not considered that there would be a significant effect from the access and rear parking as indicated to warrant resistance on these grounds.

The proposal is considered to be acceptable in this regard in line with policies H7 and DS1.

Flooding and drainage

Policy CS19 of the Core Strategy is concerned with flood risk. It states that development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. A flood risk assessment has demonstrated that the development will be safe, without increasing flood risk elsewhere, by integrating water management methods into development.

The Lead Local Flood Authority drainage officer has been consulted on the proposal and raises no objections subject to conditions to control the drainage of the site. It is considered, subject to these conditions, that the proposal is acceptable in this regard.

Other considerations

The barn has already been subject to alterations to the roof for the implementation of the existing permission. As such, and having visited the site, there was no indication of the site being highly likely to be occupied by protected species, with no evidence of either bats or owls using the building for habitat. As such, it is considered, subject to an informative attached to any approval granted in relation to the protection afforded under the Wildlife and Countryside Act 1981, that the proposal is acceptable in this regard.

The barn is within a residential garden and has been for some time. As such, it is not considered that there is a high likelihood of the site having been used for the storage of chemicals or that the ground is contaminated. It is therefore not considered that there is any

requirement for further investigation and a condition relating to unforeseen contamination is sufficient in this regard.

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:

- Proposed Site Plan dated 24 February 2021
- Proposed floor plans reference 1478/20/02
- Proposed elevations referenced PA/2020/1626/05
- Proposed Section reference PA/2020/1626/01
- Proposed Section reference PA/2020/1626/03
- Proposed Section reference PA/2020/1626/04
- Garage elevations reference PA/2020/1626/08

Reason

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

3.
Adequate vehicle access, parking and turning facilities serving the existing dwelling shall be retained in accordance with details to be submitted to and approved in writing by the local planning authority.

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 take place until details of the external facing materials and window joinery 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.

7.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

8.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site have been submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

Informative 1

Should any protected species be discovered on site you are advised to obtain your own advice and to proceed in line with Wildlife and Countryside Act 1981 (As amended).

Informative 2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;

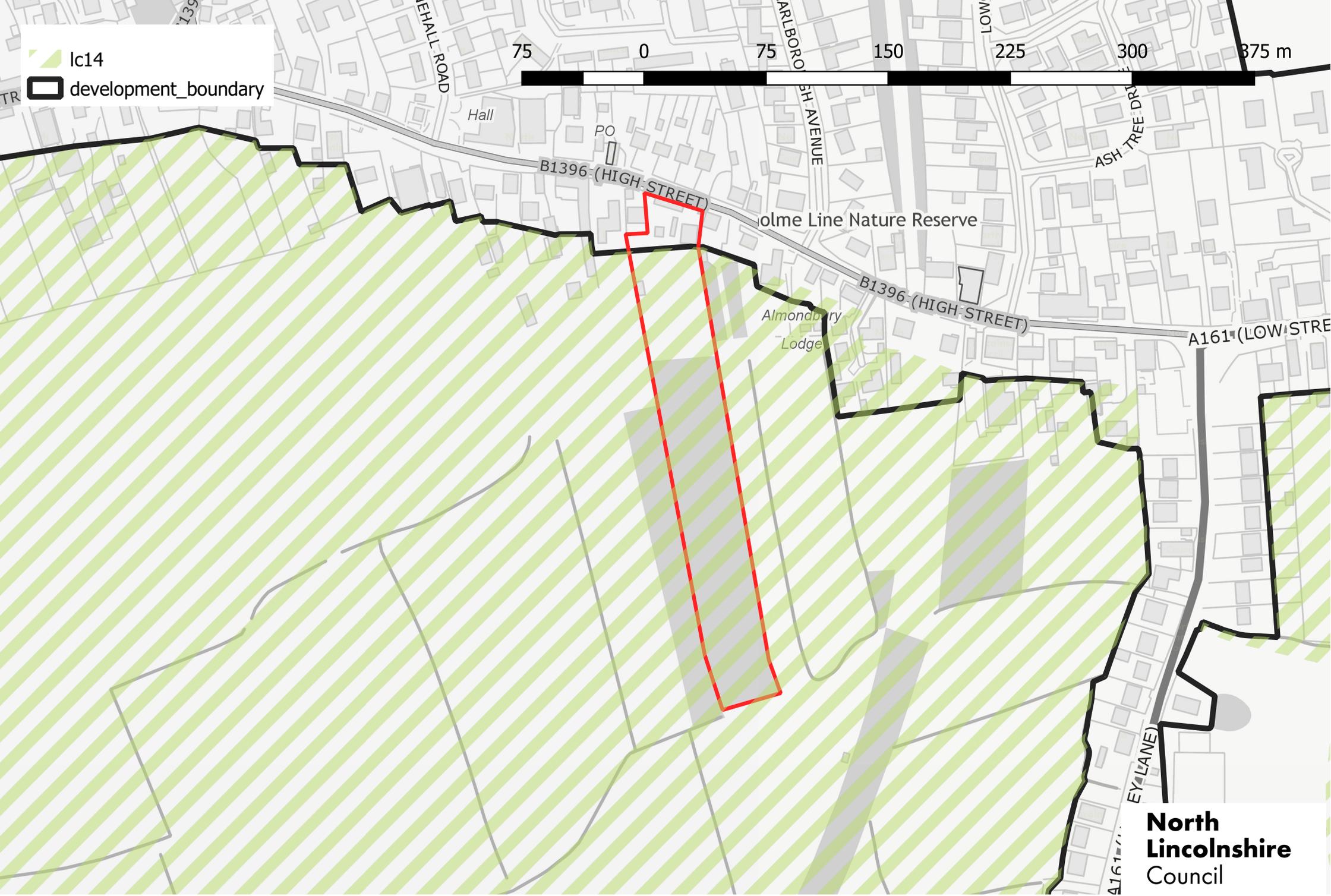
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 3

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.

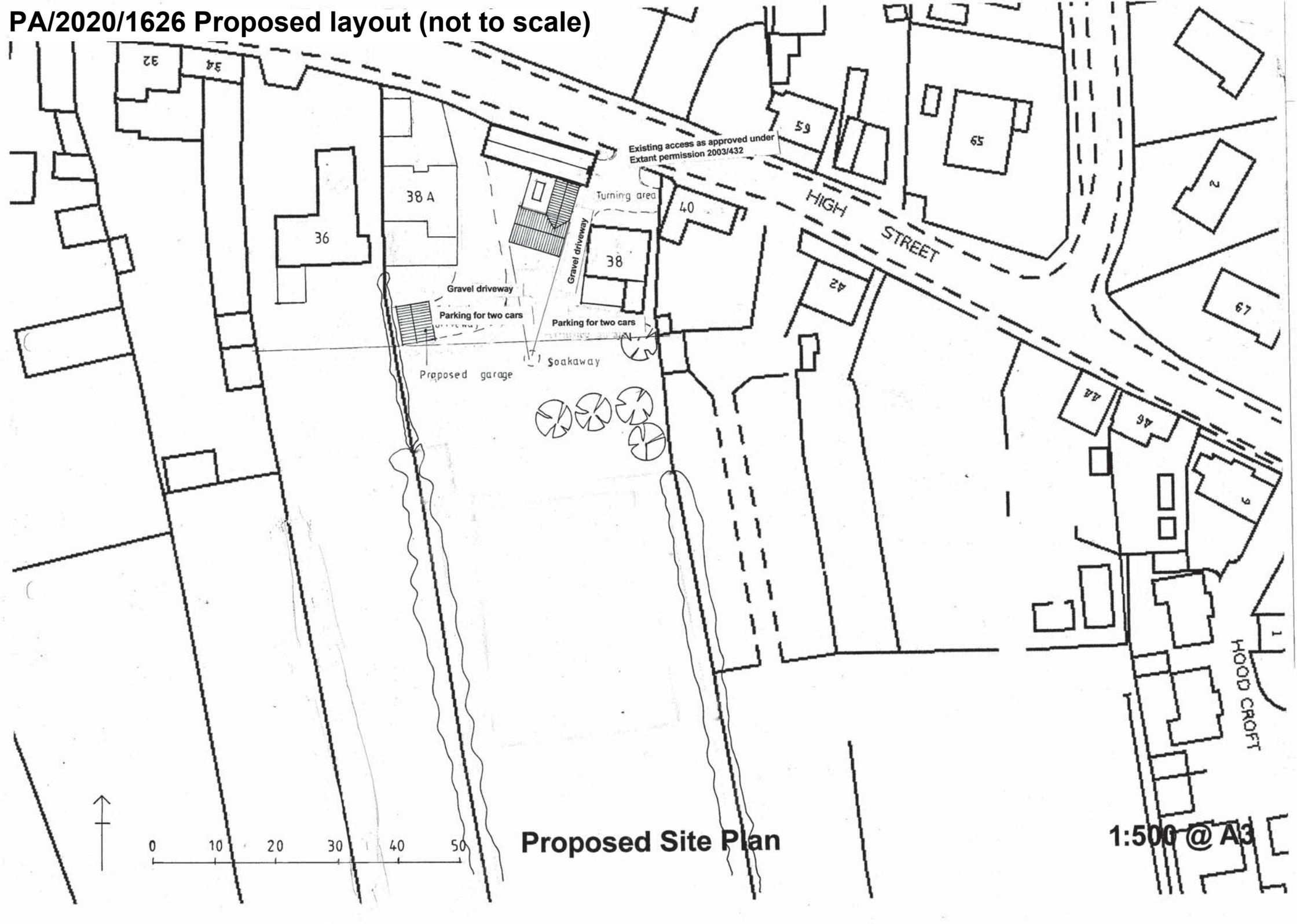
lc14
development_boundary

75 0 75 150 225 300 375 m



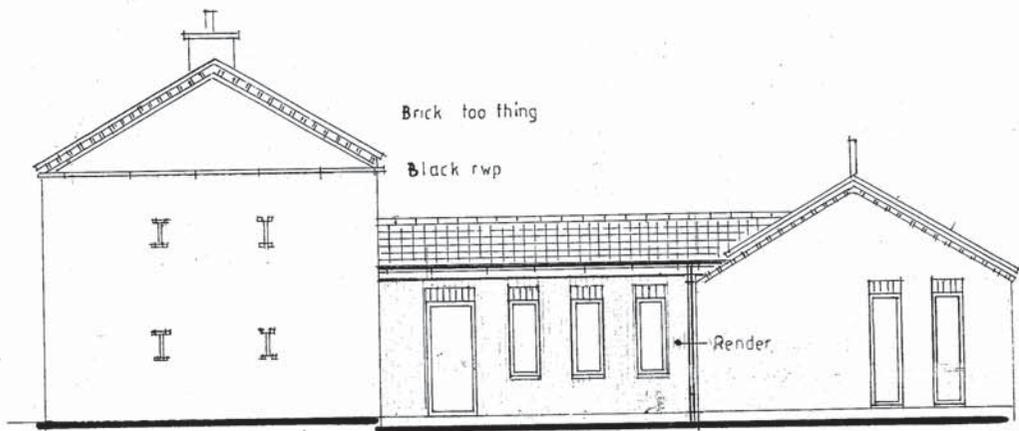
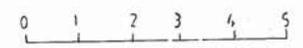
North
Lincolnshire
Council

PA/2020/1626

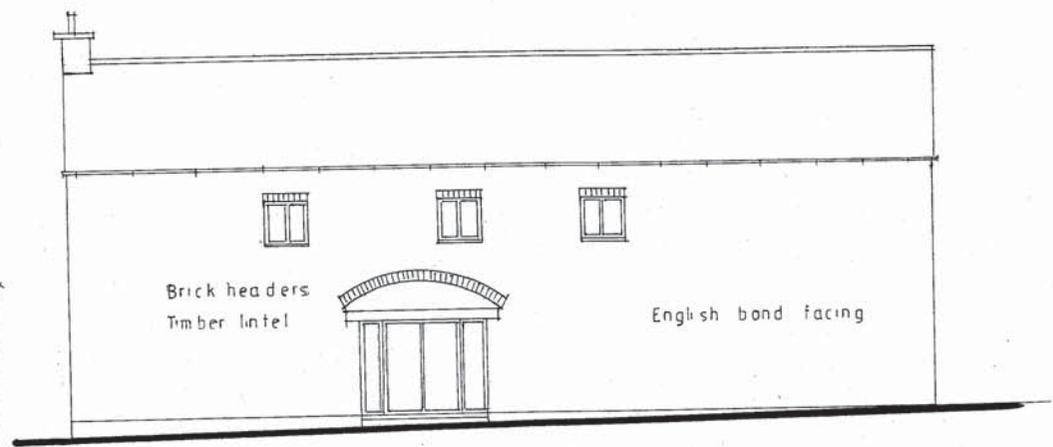


Proposed Site Plan

1:500 @ A3



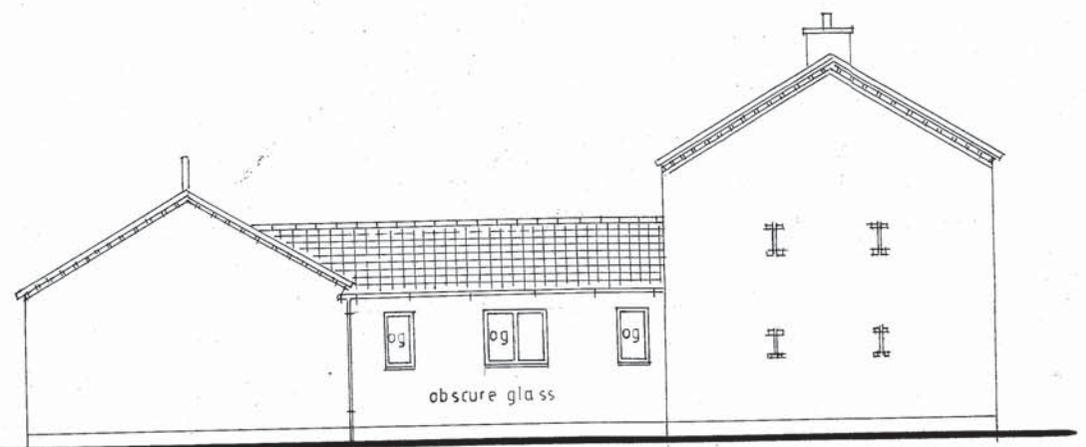
Proposed West Elevation



Proposed North Elevation

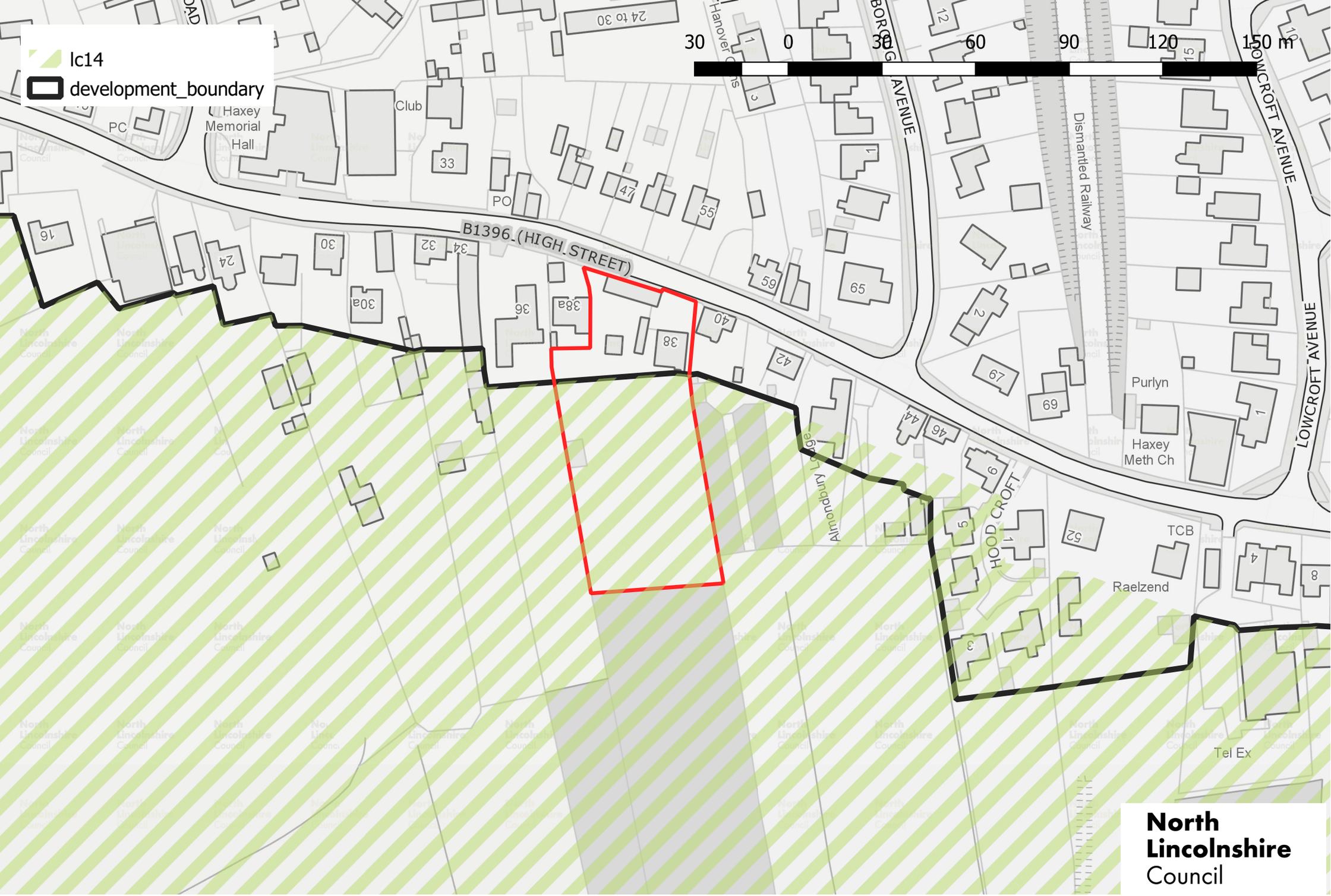
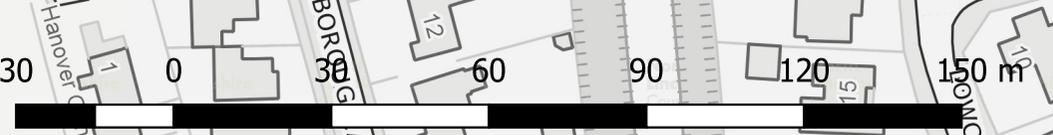


Proposed South Elevation



Proposed East Elevation 1:100 @ A3

 Ic14
 development_boundary



**North
Lincolnshire
Council**