

Officers Report

Planning Application No: 142247

PROPOSAL: Planning application for conversion of barns to 1no. dwelling

LOCATION: Little London Farm Little London North Kelsey Market Rasen LN7 6JP

WARD: Kelsey

WARD MEMBER(S): Cllr P Morris

APPLICANT NAME: Executors of the Estate of Mrs A C Balderson

TARGET DECISION DATE: 03/12/2021

DEVELOPMENT TYPE: Change of Use

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

The application is being referred to the Planning Committee for determination following objections from the Parish Council and a number of objections from local residents, and as the planning matters under consideration are deemed to be finely balanced.

Description:

The site is located within the built footprint of North Kelsey and comprises traditional one and two storey brick and pantile barns and a dovecote with more recent additions in the form of steel portal and cement fibre/asbestos sheeted buildings on the eastern side of the site and to the front of the site (south), clustered around the former dovecote. There are signs on the dovecote which state that the following businesses occupy the site and the large steel portal framed buildings to the east of the site:

Keith Blackburn – Plant and Machinery Refurbishment.
Riflo Engineering - Painting, Shot Blasting and Fabrication Business.

To the south of the site is the former two storey detached farmhouse (Little London Farm, Little London) and its gardens mainly to the south of the farmhouse and to the south east is a former agricultural workers dwelling, a detached bungalow (Little London Lodge, Little London) with its gardens mainly to the south. To the east of the site are two large steel portal framed buildings and to the north of the site is an area of land with outbuildings with open countryside beyond. The site and the two existing dwellings and the site to the east (subject of planning application 142221) are accessed off the same access off Little London/School Lane.

The buildings and farmhouse are recorded on the Lincolnshire Historic Environment Record. There is a Public Right of Way (NKel/61/1) to the west of the site.

It is proposed to convert (and to a much lesser extent re-build) the traditional outbuildings into a four bed detached dwelling. The one storey barn on the western side of the site will be converted into a bedroom wing and the two storey barn to the north will be converted into a full height living area. The single storey buildings and dovecote on the eastern side will be used for storage and a garden room/study. Existing inappropriate modern buildings will be removed. The existing access will be utilised which will lead to car parking and turning areas by the south eastern and north eastern corners of the converted barns. A garden courtyard will be created to the south and a rear garden to the north. Amended plans have been received.

The landowner has entered into a certified S.106 (Unilateral Undertaking) which was completed on the 10/9/2021 (The Council is not a party to the document). The Unilateral Undertaking means that the existing uses on the site of this application (142247), for any fabrication of metal and the refurbishment of mechanical or agricultural machinery and for 142221 need to cease before commencement of development. This is to ensure that no noise and disturbance occurs to the occupiers of the proposed dwelling.

The applicant has provided evidence that there was only ever one tenant on the site (Keith Blackburn). The application was validated on the 20/01/2021 and on the 27 February 2021 the tenancy agreement for Keith Blackburn was formerly ended (with an extension until the 30 June 2021 to vacate the site). It has now been confirmed that the tenant has vacated the site.

Relevant history:

Site to east

142221 - Outline planning permission for three dwellings including demolition of existing commercial buildings. To be determined in tandem with this application.

Representations:

Chairman/Ward member(s): No representations received to date.

Parish Council: The state and size of existing road cannot cope with more traffic - the carriageway is already broken and falling into disrepair in many places. There are several developments already in the village with properties unsold.

The application does not give the correct amount of employees affected - this would be 7 in total not 1. The adjacent paddock is in continual use. Concern raised about infrastructure and services within the village being over stretched, such as Primary school admissions.

Although a brown field site is it outside the housing build line of the village and would therefore represent an extension of the village into open land.

Local residents: Little London Farm, Little London, Mousehole, South Street, Rowan Lodge, Station Road, Pinfold Farm, Church Street, Eastgate House, Maidenwell Lane, Capham Hall Farm, School Lane, North Kelsey. Object for the following reasons:

- If planning was to be granted we would be majorly overlooking the properties, as they would us.
- The planned development would inhibit future plans for my property.
- The current tenant is my employer, if the planning was granted I would be redundant. I would have to travel and be increasing my carbon footprint.
- By approving this application you are shutting down local thriving business and forcing local people to travel far and wide to seek alternative employment.
- The site currently under application houses a vital service to the community, a mechanic is always in demand and would surely be unable to find suitable premises within the locality.
- At present part of the farm buildings are rented and used for a successful agricultural maintenance business occupied by Mr K H Blackburn. As a local farm worker we use this firm regularly to maintain our vehicles and farm equipment.
- The land designated for industry within the village is very limited. The majority of village services have closed. The village has become a satellite, dormitory settlement for nearby towns. It is important to have employment opportunities within the village in order to give North Kelsey a healthy long term future.
- Planning Policy LP5 sets out the preference for local employment and specifically, the encouragement of 'micro businesses' such as that currently occupying the building which this application proposes to demolish. The loss of these buildings would adversely affect the employment opportunities in the settlement of North Kelsey; there are few other businesses in the village or surrounding area and there are no obvious relocation sites in the village.
- The Local Plan places a significant emphasis on the importance of the agricultural economy in Lincolnshire, this proposal would result in the closure or forced relocation of a business which is part of, and supports, the local agricultural economy.
- I have observed that the photographs taken to accompany the application do not include the buildings used for industry which have been maintained in good repair by Mr Blackburn at his own expense.
- The application site is described as an 'eyesore' but can only be seen from Little London Farm and Little London Lodge.
- I am also concerned that Cemetery Lane/Little London Farm driveway does not have clear visibility at all or passing places. Due to the nature of Cemetery Lane (trees on either side) I don't believe it is big enough to sustain any additional traffic.
- My children attend the village school and if the proposed dwellings are to be family homes I struggle to see how the school will accommodate these children.

- I am fearful that if planning is granted for the 1 barn conversion (plus the 3 dwellings, applied for separately), revision would quickly be made to extend this application and increase the number of dwellings substantially which then would not be in keeping with the houses nearby which are all detached substantial properties.
- I'd like to draw attention to the fact that the planning has been split into two applications, whereas this is one single site and has been for all of recent history.
- The current tenant has uninterrupted and sole access to the entire site, however I believe only leases the brick section. I believe this should be investigated as it should permit the current tenants to claim possession of the site. Planning should not be granted until the legal status is concluded.
- I would like to draw your attention to "jobs", the site currently employs 7 people. Currently 5 of the employees live within 1 mile of the premises.
- 5.5c "Excludes" – "Agricultural buildings and associated land on the edge of the settlement" The buildings in question are on agricultural land and are in fact agricultural buildings, the use may have changed to commercial, but the fabric of the site is still agricultural heritage
- I strongly believe there has been too much growth in a village with no facilities. It would be good to see the council approve and support a thriving business employing local people instead of more and more housing.
- From my very brief research it appears there are multiple development sites available within North Kelsey which would not involve the forced business closures by this application.
- The homes being developed doesn't help the local community as they cannot afford.
- To the north of the application site there is open land and a paddock which is not actively used." The paddock is in constant use, horses, livestock and poultry are managed on site.
- It is land that is, or was, last occupied by agricultural buildings, and as such, is excluded from the definition of previously developed land (contrary to the application).
- The site is adjacent to a public footpath and can be seen from a public road (application states not).
- The proposed site is not within the existing settlement of North Kelsey, being situated on an area of high land beyond the edge of the village boundary.
- The Central Lincolnshire Local Plan Policy LP4 applies a sequential hierarchy to development in Category 5 settlements which includes North Kelsey. No sequential test or evidence of clear community support has been submitted with this application.
- No mains sewer overflow so sewerage could enter our dyke to the north of the site.
- Extra traffic would make access to our farmland north of the site difficult.

Riflo Engineering, Little London, North Kelsey objects for the following reasons:

- I am the business owner of Riflo Engineering Ltd at the site. I live locally and can currently walk to work. If the planning application were granted, I would have to seek employment elsewhere most likely being in Lincoln, Grimsby or Scunthorpe, the local industrial areas. This would go against the Governments green targets.
- There are another 4 people locally employed on the site.
- I have placed offers to purchase the proposed development site from the owner but I have been rejected. I would like to own the yard to develop and expand my business further and to update the steel buildings to suit this.
- The village school which my 2 children attend is full to capacity. My pre-school daughter may have to travel further if permission is granted for 3 dwellings.
- Cemetery Lane is a hazardous road to pull out onto. There is not clear visibility to the right. Further down Cemetery Lane there are no safe passing places. The lane between Little London Lodge and Little London Farm is very narrow and also there are no passing places.
- My name is Andrew and I am employed at the site by Riflo Engineering Ltd and K H Blackburn. If the application were granted, I believe with my specific skill set I would struggle to find alternative employment.

LCC Highways and Lead Local Flood Authority: The existing access is suitable and there is adequate parking and turning provision within the site curtilage to allow vehicles to access and egress in a forward gear. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application. One informative is suggested.

Archaeology: The proposed development involves the conversion of a historic farmstead known as Little London Farm. This office welcomes the developer's heritage statement, which provides a good description of the buildings in their current form and assesses their significance. As noted in the heritage statement the farmstead is recorded in the Lincolnshire Historic Environment Record, and can be considered a non-designated heritage asset in the terminology of the NPPF.

From the information provided in the heritage statement it is appears that this farmstead is of somewhat higher status, having apparently been constructed in a single campaign as a group. This would have represented a considerable capital investment during the 19th century, demonstrating the means of its builders and the influence of innovative 'model farm' design. The two storey building in the southeast corner may have been a dovecote, with the blocked Diocletian (semi-circular) window serving as an elaborate entrance/exit. Historic England's Greater Lincolnshire Historic Farmstead Character

Assessment notes the relative rarity of dovecotes in the county, and their association with higher status planned farmsteads.

It is noted that the possible dovecote building is not proposed to be converted at the present time. We would however encourage the developer to work with the local planning authority's conservation officer to ensure that this building is suitably repaired and made weathertight following the demolition of the attached sheds. It is an important part of the farmstead group and its continued conservation should be encouraged.

We note the archaeological potential of kilns identified in the Heritage Statement, but in this instance there is no specific evidence for pottery production here (only that the place name 'Little London' is sometimes associated with kiln sites), and without additional evidence we would not recommend a requirement for any below ground archaeological work associated with this development.

However, as noted above the farmstead itself is of heritage significance, with evidential value. We would therefore recommend that the developer be required to undertake historic building recording prior to any conversion, demolition or alterations. This should enable the evidential value of the building's historic fabric to be recorded prior to any alteration, replacement, or removal.

Recommendation: It is recommended that, prior to development, the developer should be required to commission a Scheme of Archaeological Works. This scheme of works will consist of full historic building recording

Conservation Officer: Can support the proposals following the submission of amended plans subject to the following conditions:

- Timber joinery details 1:20
- Notwithstanding condition for the glazed screens
- All external materials
- Sample panel
- Landscaping/boundary treatments
- Remove PD to preserve the architectural merit of the building once converted, for the long term.

The Ramblers Association: No representations received to date

LCC Rights of Way: No representations received to date

Lincolnshire Bat Group: These are very sound surveys [Ecological Reports] and we would like to draw your attention to the recommendations in the second report with regard to installation of bat boxes and, especially, lighting.

Lincolnshire Wildlife Trust: No representations received to date

Natural England: No comments to make.

Environmental Protection: The applicant site has potential to be impacted by way of nuisance (noise/odour/dust) from commercial undertakings that will remain as well as that of existing, continuing and potential further diversification of agricultural activity. This potential needs to be better understood and/or mitigated in order that an appropriate assessment can be made as to the suitability of this outline proposal.

It is likely that a noise assessment will be required to identify existing and potential noise and background levels.

Comment in the Planning Statement to the effect that other buildings are subject of a separate application [142221] for dwellings ought not to negate or minimise the above unless there is to be an overall assessment. In that prior use would appear to be established and unless changed would appear to enable continuation, intensification and/or further diversification. Significant perhaps is that land use in the immediate area and that of the applicant site is commercial diversification of and agricultural whereas the more sensitive uses i.e. residential, are to the south.

Contamination is acknowledged in the application. Any resulting permission ought to have a comprehensive contamination condition attached to it.

Economic Growth Team: Subject to normal planning considerations, the Growth Team are not supportive of this application. Local employment sites of this nature are important to the wider economy of the district. Although it is a relatively low number of jobs that appear to be connected to this site, it is important that these jobs are retained. West Lindsey have identified the need to have a thriving micro business base (Economic Growth Strategy 2013-2034). Micro-businesses offer a sustainable form of employment in rural areas although opportunities for expansion may be more restricted.

IDOX: Checked 18/11/2021

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017).

Development Plan:

The following policies are particularly relevant:

*Central Lincolnshire Local Plan 2012-2036

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP3: Level and Distribution of Growth

LP4: Growth in Villages.

LP5: Delivering Prosperity and Jobs

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk
LP16: Development on Land Affected by Contamination
LP17: Landscape, Townscape and Views
LP21: Biodiversity and Geodiversity
LP25: The Historic Environment
LP26: Design and Amenity

**With consideration to paragraph 219 of the National Planning Policy Framework (July 2021) the above policies are consistent with the NPPF (July 2021). LP1 is consistent with NPPF paragraph 11 as they both apply a presumption in favour of sustainable development. LP2, LP3 & LP4 are consistent with NPPF chapter 5 as they both seek to deliver a sufficient supply of homes. LP5 is consistent with chapter 6 of the NPPF as they both seek to create a strong and sustainable economic growth. LP13 is consistent with NPPF paragraphs 110-113 as they both seek to ensure an efficient and safe transport network that offers a range of transport choices. LP14 is consistent with paragraphs 159 to 169 of the NPPF as they both seek to avoid putting inappropriate development in areas at risk of flooding. LP16 is consistent with NPPF paragraphs 183 as they both seek to ascertain if the ground conditions of a particular site are suitable for the proposed use. LP17 is consistent with NPPF paragraph 130 & 174 as they seek to protect valued landscapes and recognise the intrinsic character and beauty of the countryside and are sympathetic to the built environment. LP21 is consistent with chapter 15 of the NPPF as they both seek to protect and enhance biodiversity. LP25 is consistent with chapter 16 of the NPPF as they both seek to conserve and enhance the historic environment and LP26 is consistent with section 12 of the NPPF in requiring well designed places. The above policies are therefore attributed full weight.*

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Draft Central Lincolnshire Local Plan:

The first round of consultation on the Draft Central Lincolnshire Local Plan has now completed. The consultation ran for 8 weeks from 30 June to 24 August 2021. The NPPF states:

“48. Local planning authorities may give weight to relevant policies in emerging plans according to:
(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) 24.”

The early stage of preparation, because consultation has only just completed on the Draft Plan and untested consistency with the Framework mean some weight (but it is still limited) is given to the policies it contains relevant to this proposal at this moment.

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Neighbourhood Plan:

No plan is currently being prepared.

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021.

Paragraph 219 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

- **National Planning Practice Guidance**
<https://www.gov.uk/government/collections/planning-practice-guidance>
- **National Design Guide (2019)**
<https://www.gov.uk/government/publications/national-design-guide>
- **National Design Code (2021)**
<https://www.gov.uk/government/publications/national-model-design-code>

Main issues:

- Principle of the Development
- Loss of Employment
- Residential Amenity
- Visual Impact
- Non Designated Heritage Asset
- Foul and Surface Water Drainage
- Archaeology
- Ecology
- Highway Safety
- Other Matters

Assessment:

Principle of Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site is located within the built footprint of North Kelsey and comprises traditional one and two storey brick and pantile barns and a dovecote with

more recent additions in the form of steel portal and cement fibre/asbestos sheeted buildings on the eastern side of the site and to the front of the site (south), clustered around the former dovecote. There are signs on the dovecote which state that the following businesses occupy the site and the large steel portal framed buildings to the east of the site:

Keith Blackburn – Plant and Machinery Refurbishment.
Riflo Engineering - Painting, Shot Blasting and Fabrication Business.

There are existing residential dwellings immediately to the south of the site (Little London Farm and Little London Lodge). The site is brownfield land within the built footprint of the settlement. It is therefore considered to be brownfield land within the developed footprint and is within the first category of land to be developed under the land availability sequential test in Policy LP4.

In the Central Lincolnshire Local Plan, North Kelsey is designated as a medium village (LP2) within which it is acknowledged there can be up to 10% growth with small scale development of a limited nature (up to 9 dwellings per site) being accommodated. As of the 08/11/2021 the following table shows that there is remaining growth of 13 dwellings to be accommodated in North Kelsey:

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/housing-growth-in-medium-and-small-villages-policy-lp4/>

The principle to develop one dwelling here is acceptable as the site is within the built form of the village and will contribute to the allocated housing growth apportioned to North Kelsey in the adopted Central Lincolnshire Local Plan.

Loss of Employment

Firstly it should be noted that the landowner has entered into a certified S.106 (Unilateral Undertaking) which was completed on the 10/9/2021 (The Council is not a party to the document). The Unilateral Undertaking means that the existing uses on the site of this application (142247), for any fabrication of metal and the refurbishment of mechanical or agricultural machinery and for 142221 need to cease before commencement of development. This would be a consequence of planning permission being granted on this site and it will be necessary to weigh up whether the loss of employment is justified by the proposal.

The site is located within the built footprint of North Kelsey and signs on the dovecote state that the following businesses occupy the site and the large steel portal framed buildings to the east of the site subject of a separate planning application (142221):

Keith Blackburn – Plant and Machinery Refurbishment.
Riflo Engineering - Painting, Shot Blasting and Fabrication Business.

Representations have been received objecting to the application on the grounds of loss of employment with estimates of the number of jobs actually on site between 4 and 7.

At the time of the Officer's site visit the only activity taking place on the site of this application (142247) was the repair of cars within some of the modern additions to the traditional barns. This business was being undertaken by Mr Keith Blackburn and is believed to have operated on the site for over 10 years. The business has no online presence.

Riflo Engineering carries out a wide variety of agricultural and non-agricultural work. It appears that the site at Little London, North Kelsey is only used when larger pieces of equipment are being refurbished and seem to mainly utilise the large steel portal framed building to the east of this site which is subject of a separation planning application (142221).

Examining Riflo Engineering's website and Facebook page this appears to be a business run by Mr Rick Blackburn (the son of Keith). The business celebrated its second birthday on the 14/01/2021 and is primarily located at the following address 'The Forge, Swallow Road, Thorganby, DN37 0SU' which is a steel portal framed building with outside storage space primarily to the north (east) which has the following planning history:

W111/383/75 - Construct a blacksmiths/agricultural engineering workshop and office. Granted 10/07/75.

There was no evidence on site at the time of the Officer's site visit of the 7 employees cited by the Parish Council. Furthermore, the applicant has since provided evidence that there was only ever one tenant on the site (Keith Blackburn). The tenant never received planning permission for the B2 use operating from the site. There is no planning history for Riflo Engineering.

The application was validated on the 20/01/2021 and on the 27 February 2021 the tenancy agreement for Keith Blackburn was formerly ended (with an extension until the 30 June 2021 to vacate the site). It has now been confirmed that the tenant has vacated the site.

Policy LP5: Delivering Prosperity and Jobs is relevant. Loss of Employment Sites and Buildings to Non Employment Uses Conversion and redevelopment of, or change of use from, existing non-allocated employment sites and buildings to non-employment uses will be considered on their merits taking account of the following:

- whether the loss of land or buildings would adversely affect the economic growth and employment opportunities in the area the site or building would likely serve;
- whether the continued use of the site or building for employment purposes would adversely affect the character or appearance of its surroundings, amenities of neighbouring land-uses or traffic conditions that would otherwise be significantly alleviated by the proposed new use. It should also be shown

that any alternative employment use at the site would continue to generate similar issues;

- whether it is demonstrated that the site is inappropriate or unviable for any employment use to continue and no longer capable of providing an acceptable location for employment purposes; and
- whether the applicant has provided clear documentary evidence that the property has been appropriately, but proportionately, marketed without a successful conclusion for a period of not less than 6 months on terms that reflect the lawful use and condition of the premises. This evidence will be considered in the context of local market conditions and the state of the wider national economy.

Within the supporting paragraphs for Policy LP5 it states that it is not the intention of the policy that such proposals shall meet all of the above bullet points, but instead will be considered on their merits having regard to the four criteria and the evidence provided, which should be proportionate to the development proposed.

Clear evidence has been provided that no businesses are now operating from the site. The application site also shares an access with residential properties to the south (Little London Farm and Little London Lodge). As part of the application site was primarily used by a Car Repair Business which is a B2 use for over ten years then there may have been the potential (subject to a certificate of lawful use) to use these buildings for an unrestricted general industrial purpose without the need for a further planning application. An intensification of this use could cause potential adverse impacts on the residential amenity of nearby residents and on Cemetery Lane to the south of the site. Furthermore, the current buildings are in a very poor state of repair and are unsuitable to be re-used for a business use.

The proposal would not adversely affect the economic growth and employment opportunities in the area in accordance with the NPPF and Policy LP5 of the Central Lincolnshire Local Plan as clear evidence has been provided that no businesses are now operating from the site.

Residential Amenity

Local Plan Policy LP26 states that planning permission will be granted for new development provided the proposal will not adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance.

A certified S.106 (unilateral undertaking) has been completed which means that the existing uses on the site of this application (142247), for any fabrication of metal and the refurbishment of mechanical or agricultural machinery and for 142221 need to cease before commencement of development.

The application seeks permission to convert (and to a much lesser extent re-build) the traditional outbuildings found on the site into a four bed detached dwelling. The one storey barn on the western side of the site will be converted

into a bedroom wing and the two storey barn to the north will be converted into a full height living area. The single storey buildings and dovecote on the eastern side will be used for storage and a garden room/study. Existing inappropriate modern buildings will be removed. The existing access will be utilised which will lead to car parking and turning areas by the north eastern corner of the converted barns. A garden courtyard will be created to the south and a rear garden to the north

It is proposed to convert existing traditional barns which lie approximately 20 metres (the single storey element) and 43 metres (the two storey element) from the nearest residential dwelling (Little London Farm) to the south. Therefore, there will be no overshadowing or over dominance issues with the proposal.

The proposal will seeks to utilise existing openings in the main. The proposed south elevation will have an opaque glazed opening at ground floor level to a bedroom in the single storey western barn range to be converted which will overlook the front garden of the barn conversion and glazing to an existing ground floor opening and an existing first floor window in the dovecote which will overlook a proposed turning area and the access driveway. Other ground floor windows to the two storey range and other outbuildings within the courtyard will be obscured by a proposed 1.5 metre high brick boundary wall which will enclose the courtyard garden. The two storey range will have three high level windows at first floor level in the proposed south elevation. The western elevation will have three roof lights and there are no proposed openings in the eastern elevation. The north elevation will look out onto the rear garden of the proposed barn conversion.

It is therefore considered that the proposed dwelling will not have a harmful impact on the living conditions of neighbouring dwellings or that of the occupants of the proposed dwelling.

Visual Impact

Local Plan Policy LP17 states that to protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated.

Local Plan Policy LP26 states that all development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they are well designed in relation to siting,

height, scale, massing and form. The policy also states that the proposal should respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area and should use appropriate, high quality materials which reinforce or enhance local distinctiveness. Any important local view into, out of or through the site should not be harmed.

The application seeks permission to convert and partly re-build traditional barns utilising existing openings in the main to create a four bed dwelling with a courtyard garden and other garden space to the south and rear garden space to the north. More modern unsympathetic additions to the traditional barns will be removed. A palette of traditional materials which will be conditioned if it is minded to grant permission will be utilised.

It is therefore considered that the proposal would not have an adverse visual impact on the street scene or the countryside and will retain and preserved the character of the traditional barn which are proposed to be converted to create a four bed dwelling.

Non Designated Heritage Asset

It is proposed to convert and to a much lesser extent rebuild a historic range of barns which are recorded on the Lincolnshire Historic Environment Record, and can be considered a non-designated heritage asset.

Policy LP25 of the Central Lincolnshire Local Plan states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. The proposals will retain the range of barns, utilise existing openings, use a palette of traditional materials and will remove unsympathetic modern additions to the barns. The proposal is therefore considered to accord with the NPPF and Policy LP25 of the Central Lincolnshire Local Plan.

Foul and Surface Water Drainage

The application form does not state how foul sewerage will be dealt with and states that soakaways will be used for the disposal of surface. The appropriateness of the intended method(s) cannot be assessed at this stage; if permission was to be granted a planning condition to secure full foul and surface water drainage details would be recommended

A condition should also be attached to the decision notice if permission was to be granted requiring that any hardstanding should be constructed from a porous material and be retained as such thereafter or should be drained within the site.

Archaeology

The Historic Environment Officer at Lincolnshire County Council recommends that the developer undertakes a historic building record for the traditional farm buildings on the site (a condition will be attached to the decision notice if it is minded to grant permission).

Ecology

A Preliminary Ecological Appraisal (CGC Ecology August 2020) has been submitted as part of this applications supporting documentation. The site survey for the appraisal was conducted on the 15/07/2020. The report states the following results and recommendations:

Bats - The preliminary roost assessment indicates that Buildings 1 and 5 have low potential to support roosting bats, with Building 1 also being a confirmed historic feeding roost for brown long-eared bats.

Further survey work on Buildings 1 and 5 will be required in accordance with the Good Practice Guidelines (2016), to determine the presence/absence of bats. This will involve a minimum of one evening emergence/dawn re-entry survey of the buildings during the active season for bats (May-September). If bats are found to be present then further roost characterisation surveys will be required during the active season.

Following this survey work, further advice can be provided to ensure legal compliance during the proposed works.

Common Bird Species - Any demolition/conversion works should commence outside of the active nesting season which typically runs from early March through to early September. If work starts during the bird breeding season, a search for nests should be carried out beforehand, and active nests should be protected until the young fledge.

Consideration should be given to the provision of nest boxes within the new dwellings, which will replace the nesting sites that will be lost through the conversion works. These should include at least 4 x integral Woodstone build-in swift nest box A's on the eastern elevations of the new dwellings. These integral boxes should be situated as high as possible, at a height of between 4-6 metres above ground level, just below the eaves with a clear flight-way for the birds to exit. As swifts are a colonial breeding species, the boxes should be situated together, approximately 1 metre apart. These boxes must be installed during the construction phase, as they must be incorporated into the walls.

Replacement nest sites for swallows must also be considered, with the simplest option to allow them access into a suitable outbuilding or garage adjacent to the site (bearing in mind the number of droppings produced can be significant). If this is not possible, then a simple lean-to structure built onto an existing building on site will suffice. Nesting ledges should be provided within the lean-to, or nest cups can be installed, such as the No. 10 Schwegler swallow nest. These should be located at a suitable height to avoid the risk of predation by cats.

2 x Vivara Pro Woodstone integral house sparrow terrace nest boxes should also be installed, to give a total of 4 new nesting features. These boxes should be installed at a minimum height of 3 metres above ground, beneath the eaves on the northern or eastern elevations of the new dwellings. These

boxes must be installed during the construction phase, as they must be incorporated into the walls.

Birds (Schedule 1 Species) - Buildings 1 and 2 on site are in use by barn owls as day roost sites. The roost sites used by this species are very important to the breeding success and long-term conservation of local barn owls.

It is therefore recommended that at least two replacement barn owl features or nest boxes are installed, to provide two alternative day roost sites, ideally prior to Buildings 1 and 2 being converted. Two of the following options are recommended, one of which must be a barn owl loft:

- A barn owl loft must be created on site. A small area of a roof void within one of the new dwellings or a garage can be partitioned off and a suitable access hole made, preferably on an eastern elevation gable end. There should be a clear flyway from the access hole, with no overhanging vegetation. No external lighting should be directed onto the access hole.
- Barn owl tower – a brick-built structure, which should be constructed to overlook open countryside. The ideal position would be along the northern boundary of the site overlooking the open fields. It should be noted that barn owl towers require planning permission.
- Internal box – this is the preferred box option if there is a suitable location on or close to the site. The box can be placed within a barn or outbuilding on a suitable ledge as high as possible.
- Tree mounted boxes – this option requires a suitably mature tree for fixing the box to and is best placed overlooking open countryside
- Pole mounted box – these can be difficult to erect but if used they are best placed along a hedgerow or treeline overlooking open countryside. Due to the lack of hedgerows in the area, a suitable location would be alongside the drain at the south of the site.

Following the above appraisal, a Bat Survey (CGC Ecology) was carried out on the 28/09/2020. No bats were seen to emerge from either of the buildings during the survey, although a moderate amount of bat activity was recorded on the site. This included several passes by noctule *Nyctalus noctula*, brown long-eared bat *Plecotus auritus* and soprano pipistrelle *Pipistrellus pygmaeus*, and repeated passes and social calling by common pipistrelle *Pipistrellus pipistrellus*.

It is recommended that when the barns are converted, the following enhancements for bats are implemented:

- At least two bat roost features suitable for pipistrelle species should be incorporated into or onto the new buildings on site. The bat roost features can take the form of integral bat roost units or external boxes. These should be placed on the southern or eastern elevations at least 3m above ground level avoiding any windows or doors. The boxes must not be subjected to external lighting.
- It is recommended that lighting on site is kept to a minimum. If it is necessary to include some external lighting, this should be carefully

designed to minimise disturbance to bats by using down-lights rather than up-lights and using shields to limit light spill. Any external lighting should be sensor-activated and on a timer, to limit light pollution.

- Any external lighting used should emit minimal ultra-violet light, be narrow-spectrum (avoiding white and blue wavelengths) and should peak higher than 550nm. Ideally, 'warm-white' LED lights with no UV component would be used. It should be remembered that artificial lighting disrupts and disturbs many animals, including birds and invertebrates, as well as bats.
- Plant flower borders within any landscaped areas of the site to include night scented flowers in order to attract moths and other night flying insects (which will provide foraging opportunities for bats). Species should include evening primrose *Oenothera biennis*, sweet rocket *Hesperis matronalis*, honeysuckle species *Lonicera* sp., lavender *Lavendula* sp., white jasmine *Jasminum officinale*, night-scented catchfly *Silene noctiflora*, night-scented stock *Matthiola longipetala* and soapwort *Saponaria officinalis*.

A suitably worded condition should be attached to the decision notice if it is minded to grant permission to ensure development is carried out in full accordance with the recommendations contained within the Preliminary Ecological Appraisal (CGC Ecology August 2020) and within the Bat Survey (CGC Ecology October 2020).

Highway Safety

A four bed barn conversion is proposed. The existing access will be utilised off Little London/School Lane which will lead to car parking and turning areas by the south eastern and north eastern corners of the converted barns. Lincolnshire County Council Highways have no objections to this application as the existing access is considered to be suitable and there is adequate parking and turning provision within the site curtilage to allow vehicles to access and egress in a forward gear. The suggested informative will be attached to the decision notice if it is minded to grant permission.

Other Matters:

S.106 (Unilateral Undertaking)

The landowner has entered into a certified S.106 (Unilateral Undertaking) which has been completed (The Council is not a party to the document). The Unilateral Undertaking means that the existing uses on the site of this application (142247), for any fabrication of metal and the refurbishment of mechanical or agricultural machinery and for 142221 need to cease before commencement of development.

Permitted Development

It is proposed to convert and to a much lesser extent rebuild a historic range of barns which are recorded on the Lincolnshire Historic Environment Record, and can be considered a non-designated heritage asset. If it is minded to grant permission certain permitted development rights should be removed in

order to protect this non designated heritage asset, the setting of the asset and visual amenity.

Asbestos

Building Control will be involved in signing off this application in terms of building regulations. However, if removal of asbestos cement sheeting is done according to HSE rules (<http://www.hse.gov.uk/pubns/guidance/a36.pdf>), it will not usually fall into the category where it must be notified to the enforcing authority (HSE or Local Authority, depending on the premises) this would only happen if there was likely to be exposure beyond the "action level" given in the Regulations (<http://www.legislation.gov.uk/uksi/2012/632/contents/made>). A note to the applicant will be placed on the decision notice if it is minded to grant permission.

Structural Survey

A structural survey has been submitted as part of this application. A visual structural inspection was carried out by Simpkins Kenny Ltd on the 28 July 2020. The report concludes that the proposal is practical and achievable provided that the minimum structural remedial repairs stated in the report are incorporated within the scope of the works.

Contamination

A Phase 1 Geoenvironmental Risk Assessment by Michael D Joyce Associates (July 2021) has been submitted with this application. It identifies some previous potentially contaminative uses and due to the potential risk to end users recommends an intrusive Phase 2 Ground Investigation for the whole site. Therefore, if it is minded to grant permission an appropriate condition will be attached to the decision notice to cover site investigation, subsequent remediation and validation.

Public Right of Way

There is a Public Right of Way (NKel/61/1) to the west of the site. The proposal would not be detrimental to existing users and potential future users of the nearby Public Right of Way.

Balancing evaluation and conclusion:

The decision has been considered against policy LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP3: Level and Distribution of Growth, LP4: Growth in Villages, LP5: Delivering Prosperity and Jobs LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP16: Development on Land Affected by Contamination, LP17: Landscape, Townscape and Views, LP21: Biodiversity and Geodiversity, LP25: The Historic Environment and LP26: Design and Amenity of the adopted Central Lincolnshire Local Plan and the guidance contained in the National Planning Policy Framework and National Planning Practice Guidance.

The site is brownfield land within the built footprint of the settlement. The principle to develop one dwelling here is considered acceptable as the site is within the built form of the village and will contribute to the allocated housing

growth apportioned to North Kelsey in the adopted Central Lincolnshire Local Plan.

It is considered that the proposal would not adversely affect the economic growth and employment opportunities in the area in accordance with the NPPF and Policy LP5 of the Central Lincolnshire Local Plan as clear evidence has been provided that no businesses are now operating from the site.

It is also considered that the proposal would not have a harmful impact on the living conditions of neighbouring occupiers or that of the proposed dwelling and will not have a harmful visual impact on the street scene. Furthermore, it is considered that the proposal would preserve the character and appearance of this non-designated heritage asset and will not be detrimental to existing users and potential future users of the nearby Public Right of Way.

Recommendation: Grant planning permission subject to the conditions below

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

2. No works shall take place until a full historic building recording (see notes to applicants below) of the barns (interior and exterior) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework.

3. No development shall take place until, suitably qualified contaminated land assessments and associated remedial strategy with none technical summaries, conclusions and recommendations, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. [Outcomes shall appropriately reflect end use and when combining another investigative purpose have a dedicated contaminative summary with justifications cross referenced]. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing:

- a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
- b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
- d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
- e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration as recommended by the Environment Agency and the Housing and Environmental Enforcement Manager in accordance with the NPPF and Policy LP16 of the Central Lincolnshire Local Plan.

Conditions which apply or are to be observed during the course of the development:

4. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: 028542.04B dated 20/05/2021, 028542.05D dated 20/05/2021, 028542.06A dated 20/05/2021 and 028542.02A dated 20/08/2021. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans in the interests of proper planning.

5. The development shall be carried out in full accordance with the recommendations contained within the Ecological Appraisal (CGC Ecology August 2020) and within the Bat Survey (CGC Ecology October 2020).

Reason: To safeguard wildlife in the interests of nature conservation in accordance with National Planning Policy Framework and Policy LP21 of the Central Lincolnshire Local Plan.

6. No development, other than to foundations level shall take place until the proposed new walling, roofing, windows, doors and other external materials have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details. The details submitted shall include; the proposed colour finish, rainwater goods and type of pointing to be used.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF and Policies LP25 and LP26 of the Central Lincolnshire Local Plan.

7. No development, other than to foundations level shall take place until details of all new external timber windows and doors at a scale of no less than 1:20 and glazing bars at scale of 1:1 to include method of opening, cills, headers and lintels, colour and finish are submitted and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF and Policies LP25 and LP26 of the Central Lincolnshire Local Plan.

8. No development, other than to foundations level shall take place until a 1m square sample panel of the proposed new brickwork, showing the coursing of the brickwork, colour, style and texture of the mortar and bond of the brickwork have been provided on site for the inspection and approval in writing by the Local Planning Authority (the sample is to be retained on site until the new development is completed). The development shall thereafter be constructed in accordance with the approved details (see notes to the applicant below).

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF and Policies LP25 and LP26 of the Central Lincolnshire Local Plan.

9. Notwithstanding the drawings supplied (Drawing No. 028542.04B dated 20/05/2021 and 028542.05D dated 20/05/2021) no development other than to foundations level, shall take place until full details of the proposed glazed screens on the east elevation of the bedroom range are approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details and be complete before the dwelling is first occupied.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF and Policies LP25 and LP26 of the Central Lincolnshire Local Plan.

10. No development, other than to foundations level shall take place until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and prior to occupation of the dwelling.

Reason: To ensure adequate drainage facilities are provided to serve the development in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

11. New hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

Reason: To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy LP14 of the Central Lincolnshire Local Plan.

12. No development, other than to foundations level shall take place until, a scheme of landscaping including details of the size, species and position or density of any trees and hedging to be planted and boundary treatments (including boundaries within the site) and hardstanding have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure the site is visually softened by appropriate methods and to enable any such proposals to be assessed in terms of their impact on the Conservation Area/Listed Buildings in accordance with the National Planning Policy Framework and Policies LP17, LP26 and LP25 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

13. All planting and turfing approved in the scheme of landscaping under condition 12 shall be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; and any trees or hedging which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased

shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

Reason: To ensure the site is visually softened by appropriate methods and to enable any such proposals to be assessed in terms of their impact on this non designated heritage asset in accordance with the National Planning Policy Framework and Policies LP17, LP26 and LP25 of the Central Lincolnshire Local Plan.

14. Notwithstanding the provisions of Classes A, AA, B, C, D, and E of Schedule 2 Part 1 and Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any Order revoking and re-enacting that Order, the building hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the host dwelling, no new hardstanding and gates, walls or fences unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the living conditions of the host and neighbouring dwellings and the resulting amount of space around the host dwelling and to safeguard the character and appearance of the building and its surroundings in accordance with Policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan.

Notes to the Applicant

S.106 (unilateral undertaking)

The landowner has entered into a certified S.106 (Unilateral Undertaking) which has been completed (The Council is not a party to the document). The Unilateral Undertaking means that the existing uses on the site of this application (142247), for any fabrication of metal and the refurbishment of mechanical or agricultural machinery and for 142221 need to cease before commencement of development.

Archaeology

Please contact the Historic Environment Team at Lincolnshire County Council for advice on a brief for the Historic Building Record (condition 2) on 01522 782070.

Repointing

No works of repointing are to be undertaken until a sample panel has been agreed in writing (condition 8).

Asbestos

Building Control will be involved in signing off this application in terms of building regulations. However, if removal of asbestos cement sheets is done according to HSE rules (<http://www.hse.gov.uk/pubns/guidance/a36.pdf>), it will not usually fall into the category where it must be notified to the enforcing authority (HSE or Local Authority, depending on the premises) this would only

happen if there was likely to be exposure beyond the "action level" given in the Regulations (<http://www.legislation.gov.uk/uksi/2012/632/contents/made>).

Highways

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report